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SPANISH PROJECTS FOR THE REOCCUPATION OF THE FLORIDAS DURING THE AMERICAN REVOLUTION

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The treaty of 1763 brought far reaching changes in the Spanish situation in North America. The cession of the Floridas, one of the oldest of the Spanish settlements, had been more than a national humiliation; it had been the means by which England was established as a potent force in the Gulf of Mexico. The same agreement saw the transfer to the Spanish flag of the trans-Mississippi section of Louisiana, the only portion of Spain's dominion touching English soil. Louisiana, with its long and easily accessible frontier, was considered the weakest of all the Spanish colonies, while its location made it a strategic factor in any situation in the Mississippi Valley. From its annexation, therefore, the province was a source of anxiety, a circumstance which the disregard of Spanish regulations by British traders and Peter Chester's policies regarding the Natchez region did nothing to allay. Thus, inevitably, the outbreak of hostilities between England and the colonies in 1775 created an issue at New Orleans.

There is now little room to doubt the directness and plan of Spain's policy during the American Revolution, although at the time it was branded as unsettled and vacillating. Charles III. and his ministers had few illusions regarding the

ability or desirability of avoiding war, nor had they any intention of foregoing the opportunity of recouping the nation's losses. Temporarily, it suited their purposes to maintain a technical neutrality in order to gain time to gather adequate information and mature plans of defense. Hence, on August 6, 1776, the royal order of neutrality was issued commanding all colonial officials to adopt a strict impartiality of conduct and forbidding any American or English ship to enter Spanish ports except under circumstances of gravest necessity.¹ But as might be expected, only a semblance of neutrality ever existed in Spain, for the ink on the proclamation was hardly dry before military plans were under way. The centers of this activity were Havana and New Orleans.

Before the outbreak of hostilities between Spain and England, the Spanish projects against Florida were naturally indirect, and consisted in establishing an espionage system² and fostering an American expedition to the southwest. The colonies raised the question themselves doubtless in the hope of baiting the Spaniards to sell them the always needed military supplies. In September, 1776, George Gibson appeared at New Orleans with a letter from Charles Lee, second in command of the continental forces, to Governor Unzaga. The communication, certified by the committee of safety of the general congress of Virginia, asked for trading privileges and aid for the colonies, which, it was claimed, lacked not the courage but the means to win their independence. Lee also assured Unzaga that an expedition was to be led to the Manchak region the following spring which would take all the Mississippi forts, Mobile, and Pensacola. In connection with

¹ Archivo General de las Indias, Audiencia de San Domingo, 80-1-10, Torre to Bernardo de Gálvez, November 26, 1776. Transcripts of these manuscripts are in the Ayer Collection in the Newberry Library, Chicago. The originals are in the Archives of the Indies, Seville, Spain.

² The question of the efforts of Spain to obtain adequate sources of information regarding the colonial situation has been briefly treated in my article "Efforts of Spain to Maintain Sources of Information in the British Colonies Before 1779", in the *Mississippi Valley Historical Review*, June, 1928.

this project, Gibson was commissioned to inquire whether the acquisition of the city and harbor of Pensacola would be agreeable to His Majesty, and if Spain would consent to receive the said port and city from the Americans.³ Unzaga had not the authority to reply to such leading questions but he was much impressed by the prospect of a western expedition.⁴ He agreed to send the letter on to Spain for instructions and, in the meantime, permitted the American to obtain 100 quintals of powder.⁵

Lee's letter was seriously considered in Madrid and the Spanish policy outlined by José de Gálvez on December 24, 1776. The governor of Louisiana was ordered to encourage the Americans to take Pensacola but with the greatest secrecy. Spain promised that, when their independence was assured, negotiations would be opened regarding the cession which the revolutionists offered. "To facilitate this end", namely, the expedition against the Mississippi forts and Pensacola, Spain was sending supplies through Havana to be sold to the colonists through some responsible agent "who was to act as a blind".⁶ Aid to the Americans through Louisiana was, there-

³ Archivo General de Simancas, Libro 181 Moderno, Charles Lee to Unzaga, May 22, 1776. Transcripts of a small number of the Simancas documents are located in the Ayer Collection. George Gibson, the bearer of the letter, was a landowner in the Cumberland region at the opening of the war. Shortly thereafter, he came into prominence by raising a company of riflemen known as "Gibson's Lambs". He was later a colonel in Washington's army.

⁴ *Ibid.*, Unzaga to José de Gálvez, September 7 and 30, 1776. Unzaga was apparently somewhat disturbed that it was possible for an expedition to have been brought down the Mississippi with as little difficulty as Gibson had encountered.

⁵ A quintal is a hundredweight. This sale of powder was accomplished with the aid of Oliver Pollock, a wealthy trader of Irish descent who had settled in New Orleans about 1763. At the outbreak of the war he offered his services to the American cause. Shortly, thereafter, he was made commercial agent of the continental congress. At various times, he acted as the unofficial agent of Virginia, that state never acknowledging him as an official agent.

⁶ A. G. S., Libro 181 Moderno, José de Gálvez to Unzaga, December 24, 1776. The generally accepted idea concerning Spanish aid to the colonies at this time has been that Spain made France its almoner to America. Even though mention is made of aid sent to New Orleans in 1777 by Corwin (*French Policy and American Al-*

fore, authorized as early as 1776 for the express purpose of fostering an attack on the West Florida region, a project from which it was expected profit would accrue to Spain.

By the time the supplies in question reached New Orleans a new governor had been established there. He was Bernardo de Gálvez,⁷ one of the most brilliant of the Spanish governors and, from the moment of his arrival, destined to play an important rôle in American affairs. Gálvez belonged to that group of Spanish officials who firmly believed that England was only waiting for a favorable occasion to swoop down with all its strength on the Spanish dominions. He was openly in favor of war with England, accepted it as inevitable, and impatiently awaited the day of its declaration. He was more bellicose in his attitude than the Spanish court, the members of his own council, or the governor of Cuba who frequently admonished him that England and Spain were still far from a break.⁸ As soon as Gálvez inspected his new province, he realized its alarming weakness. Its frontier he considered practically incapable of strong defense, while he saw nothing but danger in the rights of the British to navigate the Mississippi.

A marked distrust rapidly materialized between the English and Spanish during the next two years. This was manifested in the various crises which threatened to terminate in war. In April, 1777, Lieutenant Benton of the *West Florida* seized three Spanish vessels on the charge that they were

liance) and other historians of this period, they apparently are unaware of the fact brought out in the manuscript cited above that the said aid was authorized as early as December, 1776, and was expressly given for the project of an expedition against the Mississippi forts and Pensacola.

⁷ Bernardo de Gálvez was the nephew of José de Gálvez who had been secretary of the Indies since early in 1776. Due to a disagreement regarding the date of his birth, it is impossible to be exact in the matter of his age but it is certain that he was not over 29 year old at the time of his appointment as governor of Louisiana. He was very popular at New Orleans partly because of his personality and partly because he married into a Creole family.

⁸ A. G. I., Papeles de Cuba, Leg. 1. no. 60, Navarro to Bernardo de Gálvez, January 31, 1778; no. 113, same to same, September 26, 1778.

loaded with timber cut on British soil. Gálvez promptly retaliated by capturing eleven British vessels to the value of £15,000 which, it was claimed, were engaged in contraband trade.⁹ The English were much taken back by this action as contraband trade had been winked at for years by the payment of a share in the profits therefrom to the governors.¹⁰ Gálvez, on the other hand, maintained that all smuggling was contrary to the treaty of 1763 which had specifically recognized Spain's well known regulations prohibiting trade with its colonies. All contraband trade being liable to seizure, therefore, the governor refused to release either the cargoes or the prisoners until a court decision had been obtained.¹¹ The issue was debated all through the summer without any conclusion being reached.

The second strain over the Anglo-Spanish situation arose on account of the reception accorded to James Willing at New Orleans after his spectacular expedition down the Mississippi.¹² The British not only denounced the fact that, under Spanish protection, Willing was allowed to sell his plunder and refit the British ship which he had captured but they were

⁹ Historical Manuscripts Commission Report, American MSS., I, p. 115. Lt. Col. Stiell to Howe, June 3, 1777. The ships were seized by virtue of an edict of April 18, 1777, in which Gálvez ordered all British vessels "lurking in the Mississippi to be brought to New Orleans".

¹⁰ *Ibid.*, p. 112. An unsigned paper sent to Pensacola in May, 1777.

¹¹ A. G. I., Papeles de Cuba, Leg. 1146, Bernardo de Gálvez to Lloyd, April 26 and 27, 1777. Captain Lloyd of the *Atlanta* was sent to New Orleans by Peter Chester, Governor of West Florida, to demand the release of the British ships.

¹² James Willing had been commissioned by congress to proceed to New Orleans to procure the goods which had arrived from Spain for the colonies. He left Pittsburg on January 11, 1778, in the *Rattletrap* manned by 27 men. According to his orders he was to deliver the dispatches he carried, bring back the supplies mentioned before, and capture "whatever British property he might meet with on the river". So thoroughly did he accomplish his task that, on reaching his destination he had accumulated a considerable number of prisoners, a ship, the *Rebecca*, a smaller boat loaded with timber and, according to a report received from New Orleans, \$15,000 in plunder. This figure is probably somewhat exaggerated but the value of the goods seized by Willing was very great. Canadian Archives, Report of 1890, State Papers, p. 106, Rocheblave to Haldimand, July 4, 1778.,

inclined to blame the whole episode to the unneutral conduct of Gálvez.¹³ Two ships, the *Hound* and the *Sylph*, were dispatched to the Mississippi: one to ascend the river and prevent the descent of additional forces; and the other to cut off Willing's retreat by sea and undertake negotiations with Gálvez. The ensuing debate was the stormiest which had yet occurred between the British and Spanish provinces, but at length the British modified their demands and the situation was temporarily glossed over.

During these turbulent times, the governor was always intent on improving the means of defense of Louisiana, and it was with this end in mind that he revived the project of an American expedition to West Florida. Indeed, his interest in American affairs and his generosity to American needs, which were in such marked contrast to the cautious aloofness of the other Spanish officials, were in direct proportion to the menace of West Florida, and can be attributed to the fact that, more and more, the Americans were coming to play a part in Gálvez's defense program. The first suggestion of such a plan, it will be remembered, had come from Charles Lee in 1776. The following spring, about the time Gálvez seized the British vessels, he reopened the subject by advising Oliver Pollock to press the consideration of such an expedition and by permitting him to assure the continental congress that if the colonials should

make such an expedition against the river and Pensacola he would furnish your troops with cash and in short anything in his power they may stand in want of.¹⁴

A month later, Gálvez again broached the subject by expressing the hope to Pollock that congress would acquaint him of its plans as soon as they were formulated.¹⁵

There is plenty of evidence that the matter was being considered by some few Americans. Shortly after Pollock had

¹³ *Ibid.*

¹⁴ Pollock Papers, Pollock to Congress, April 7, 1777. These manuscripts are to be found in the Library of Congress.

¹⁵ *Ibid.*, Pollock to Congress, May 5, 1777.

written congress in the vein just indicated, George Morgan, the commander at Pittsburgh, attempted to sound the governor about the possibility of supplying transportation from New Orleans to Pensacola should colonial forces descend the river.¹⁶ Prior to this date, Morgan had perfected the details of such an expedition which he now urged upon congress for a second time in a memorandum of July 6, 1777.¹⁷ Later in the month, the board of war, to which the document had been referred, returned a report favorable to the immediate preparation of some thousand to twelve hundred men to move against Pensacola.¹⁸ The troops were to proceed down the Ohio and Mississippi rivers to New Orleans from which point they were to advance on Pensacola with Spanish aid and "three or four frigates".

The majority of the members of congress approved this proposition but were saved from a probable disaster by the timely arrival of Henry Laurens who at once became the foremost critic of the "random scheme for a western enterprise" which had been recommended upon "vague and indigested plans and propositions, adopted by a few and apparently acquiesced in by a great majority".¹⁹ Laurens denounced the project as impracticable and costly, and curtly reminded his hearers that if the colonies had a thousand men to spare, they might better be employed in the southern states than in mad-cap ventures into comparatively unknown regions. To quote Laurens's own words: "I delivered my sentiments and was successful. The question has scarcely an affirmative."²⁰

¹⁶ A. G. I., Indiferente General, 87-1-6, George Morgan to Bernardo de Gálvez, April 22, 1777.

¹⁷ Burnett, *Letters of the Members of the Continental Congress*, II. 421. The 1st plan of Morgan had been presented to congress on June 6, 1776.

¹⁸ The board of war consisted of John Adams, Benjamin Harrison, George Clymer, William Duer, and Samuel Adams. All but John Adams and George Clymer advocated the plan. The debates lasted from July 24 to 29.

¹⁹ Burnett, II. 445, Laurens to Rutledge, August 12, 1777.

²⁰ *Ibid.*, p. 444, Laurens to Lachlan McIntosh, August 11, 1777.

How much knowledge of these transactions filtered through to New Orleans is not yet known. Of course the governor knew that such an enterprise was under debate but his hopes ran away with his facts when, in a letter of June 9, 1777, he informed the secretary of the Indies that a force of from four to six thousand Americans would take Pensacola during the summer.²¹ On receipt of these delightful tidings, José de Gálvez hastened to remind his nephew that, in case the Americans did take the British forts and offer them to Spain, the latter would receive them only as a trustee.²² The instructions, however, proved to have been unnecessary.

In spite of his failure to attract an expedition down the Mississippi in 1777, Gálvez took up the cudgels again the following spring. The particular menace which was then hovering over Louisiana was a British invasion. According to Gálvez's story, it was the settled policy of the West Florida government to attack New Orleans for having harbored the Americans under Willing and also for the general friendliness displayed to them. From agents, who kept in touch with both parties, reports had come to the attention of Jean de Villebeuvre, the Spanish commander at Manchak, that a definite campaign had been arranged but due to the refusal of the Indians to accompany the English, the date had been postponed.²³ Gálvez bent all his energies to meet this danger by an elaborate system of fortification both within the city and in the outlying country, and, as an additional means of protection, revived the idea of an American invasion of the southwest. The seriousness of his intentions is revealed by the fact that he not only urged the measure on Pollock and Willing but even wrote to congress himself. A report of the board of war on October 31, 1778, replied to this message that

²¹ A. G. I., *Indiferente General*, 87-3-15, Bernardo de Gálvez to José de Gálvez, June 9, 1777.

²² A. G. I., *Papeles de Cuba*, Leg. 174, José de Gálvez to Bernardo de Gálvez, August 15, 1777.

²³ A. G. I., *Indiferente General*, 81-4-36, Jean de Villebeuvre to Bernardo de Gálvez, July 6, 1778.

from the variety of operations in which we are at this time engaged, it is impracticable for these states to undertake an enterprise of the magnitude of that suggested by Governor Gálvez.

The governor was to be assured, however, that

from the favorable aspect of our affairs, it is probable Congress will speedily be enabled to turn their attention to and operate effectively in that quarter.²⁴

That the governor attached great importance to an American invasion of the Mississippi region is demonstrated by a trick which the Spaniards played in July, 1778. About the middle of the month, the commander of the fort at the Arkansas reported that a boat manned by twenty-five Americans had appeared with supplies for Willing. Learning of the situation on the lower Mississippi, they had returned to Pittsburgh (Fort Pitt). Gálvez immediately spread the rumor that a force of two thousand Americans was about to descend the river for the purpose of taking all the forts held by the British. To insure a wide circulation of this news, he wrote to the commanders of all the Spanish forts. It was claimed that a striking increase in British friendliness resulted.²⁵

The Spanish declaration of war put an end to these manoeuvres. It was no longer necessary to concoct schemes of menacing the British indirectly while keeping up a pretense of outward neutrality or to give secret aid to the colonies in the hope that one of the tempting morsels sought by Spain would be deposited at its door. The Spaniards in Louisiana were already preparing for the opening campaign when hostilities were proclaimed. Several weeks prior to the opening of the struggle a royal order had been sent to the governors

²⁴ *Journal of the Continental Congress*, V. pp. 1083-1084, Report of the board of war, October 31, 1778.

²⁵ Archivos Nacionales de Cuba, Cartas de Bernardo de Gálvez a José de Gálvez, Bernardo de Gálvez to José de Gálvez, no. 177, July 28, 1778. Several volumes of blueprint copies of these documents are in the Ayer Collection. Duplicates of practically all the letters are also among the transcripts mentioned earlier.

of Cuba, Louisiana, and Mexico, instructing them to fall upon the British forts as soon as it was legally possible.²⁶ On August 29, 1779, explicit directions for military operations in America were issued by the crown. "The king has determined", the order read,

that the principal object of his arms in America during the present war will be to drive them (the English) from the Mexican Gulf and the neighborhood of Louisiana freeing us by that means from the disadvantages which are caused to our commerce and the continued dangers to which their ambitious designs hold us.²⁷

Bernardo de Gálvez was appointed to command the expedition which was to accomplish this end. He was chosen, according to the order, in preference to officers of older years and longer experience because of his knowledge of the country and his friendship with the Americans and Indians.

The plan of campaign was outlined in detail. From four to five thousand troops were to be collected from Mexico, Havana, and Louisiana, after mature deliberations with Gálvez; and Bonet, the commander of the squadron at Havana, was to contribute a sufficiently large naval force for the campaign. As it was hoped that the Spaniards could attack before the British were ready for war, the greatest secrecy was to be observed and the commander was ordered not to wait for reinforcements from Spain. The crown further announced that while the troops of Gálvez were investing Pensacola, the Americans would take possession of St. Augustine and create a diversion against the British forces of the upper Mississippi region. This had been offered by congress for certain sums which were to be given to defray the expenses thereof. If the

²⁶ A. G. I., Papeles de Cuba, Leg. 1290, no. 51, José de Gálvez to Bernardo de Gálvez, May 18, 1779. The Spanish dominion did not learn that war existed until the last of July, although Spain had declared war against England on June 16, 1779. The British in West Florida did not know that war had begun when Gálvez opened his campaign.

²⁷ *Ibid.*, Leg. 174, no. 308, royal order of August 29, 1779.

American and Spanish troops were not enough, Navarro²⁸ was authorized to call on the French at San Domingo.

It is hard to see how Spain could have believed seriously that the colonies had bound themselves to coöperate in the campaign; yet that was apparently the situation. At any rate, it was the reason given by José de Gálvez for rejecting Navarro's plan for an attack on St. Augustine as Spain's initial strategy,²⁹ and the arrangement of the American expedition formed a part of the instructions sent to Miralles. It is probable that the basis for the belief was laid, not in any official agreement, for Spain and the English colonies had reached no such understanding in 1779, but in the various conferences and unofficial communications which had marked the relations of the two peoples. A congressional resolution of December, 1777, had authorized the American agents to offer Spain colonial aid against Pensacola in case that country entered the war.³⁰ The preliminary peace resolutions regarding the instructions for the peace commissioners had contained similar expressions but they had not been incorporated in the final instructions.³¹ Likewise, the instructions to Jay who was sent to Spain in 1779 as an envoy stipulated that while the colonies undertook no part in bringing the Floridas under Spain, they

²⁸ Diego José Navarro was Captain General of Cuba from 1777 to 1781. He was removed for his procrastination in supporting the West Florida campaign of Bernardo de Gálvez but, with the irony of fate, the news of his removal did not reach him until the campaign had achieved its objective.

²⁹ A. G. I., Papeles de Cuba, Leg. 1290, no. 51, José de Gálvez to Navarro, May 18, 1778.

³⁰ *Journal of the Continental Congress*, VI. 1057, Resolution of December 30, 1776. This was the resolution which authorized the sending of agents or commissioners to Berlin, Madrid, Vienna, and Tuscany.

³¹ The final instructions had been confined to a statement of the southern boundary which would be acceptable. This was fixed at 31°. Questions which had been mentioned as suitable topics of negotiation were the cession of the Floridas to Spain in return for an adequate compensation and, in case the war continued, the possibility of holding a force of 6,000 men ready to conquer the Floridas for Spain in return for a subsidy. See *Journal of the Continental Congress*, XIII-XV. The debates occurred during the summer of 1799. To give the page references to all of them would be to compile a long and unwieldy list of numbers.

were willing to guarantee it in its possession of them, once they had been conquered, provided the latter granted to the colonies the right of free navigation of the Mississippi.³² Miralles fostered this impression in his correspondence with José de Gálvez. In his letter of December 18, 1778, he stated that he had intimated to the president of congress that if the Americans conquered the Floridas and ceded them to Spain, the latter would undoubtedly indemnify them.³³ Even Gardoqui, in his conversations to Arthur Lee in the summer of 1778, hinted that the king might be willing to make the cession of the Floridas the price of a loan.³⁴ In spite of abundant evidence that the whole question of colonial relations with the Floridas was one which had not advanced beyond the shadowy realm of diplomatic conversations, Navarro, in July, 1779, begged Miralles to inform him of the possibility of obtaining aid from congress "being informed that the Americans are to conquer St. Augustine and give it to Spain".³⁵

In November, 1779, Miralles undertook to come to an understanding with congress concerning the exact assistance which would be likely to be forthcoming. A communication of November 24 reminded congress that the conquest of St. Augustine had been offered by the colonies and that he, Miralles, was anxious to promote it in order to prevent the English from sending reinforcements to West Florida. He, therefore, desired to know at what time and with what forces the expedition would be undertaken.³⁶ Congress referred the question

³² *Journal of the Continental Congress*, XV. 1084. The final instructions stated that the colonies were willing to cede the Floridas to Spain provided the latter granted the privilege of free navigation of the Mississippi "to and from the sea".

³³ A. G. I., Indiferente General, 146-3-11, Miralles to José de Gálvez, December 28, 1778.

³⁴ Wharton, *Diplomatic Correspondence of the American Revolution*, II. 690, Gardoqui to Arthur Lee, August 20, 1778.

³⁵ A. G. I., Papeles de Cuba, Leg. 1281, Navarro to Miralles, July 22, 1779.

³⁶ A. G. I., Indiferente General, 146-3-11, Miralles to José de Gálvez, November 24, 1779.

to a committee of three, namely, General Schuyler and Messrs. Sherman and Mathews. At a conference held between that committee and Miralles on November 25, it was decided that Luzerne, who heartily endorsed the plan,³⁷ was to communicate with De Grasse in regard to the convoy of the troops and munitions while a commission of two³⁸ was to seek a conference with Washington at his headquarters. Miralles added his influence to that of the commission by writing to Washington himself in behalf of the expedition.

The result of the conference was embodied in a report, laid before congress on December 11, 1779, which read as follows :

Your committee beg leave further to report that, having conferred with the commander in chief on the subject matter of the papers transmitted to Congress by the Minister of France and Don Miralles, they find that his Excellency's sentiments perfectly accord with theirs on the subject, to wit that it would be highly imprudent to enter on any offensive operation against any of the enemy's fortifications or forces south of Georgia previous to the reduction and expulsion of the British from that state. It is, therefore, submitted to their most Christian and Catholic Majesties' ambassadors, agents, governors, and commanders that a fleet in such force of either or both of the said powers as would in all probability insure a superiority on the coasts of South Carolina over any British naval force which would be expected in that quarter, should be sent as early as possible to Charleston together with five thousand land forces to operate in conjunction, with what American forces may be in that quarter against the British in Georgia ; that after having reduced or expelled the enemy from that state, the combined force should proceed to the reduction of the British garrison in East and West Florida should it be deemed expedient. . . .³⁹

³⁷ Luzerne advocated the plan as a means of strengthening the friendship with Spain which had entered the war reluctantly and had not yet recognized American independence. Wharton, *Diplomatic Correspondence of the American Revolution*, III. 320. Conference between Luzerne and Washington, September 16, 1779.

³⁸ The commission consisted of General Schuyler and Henry Marchant.

³⁹ *Journal of the Continental Congress*, XV. 1370, Report of Schuyler and Marchant, December 11, 1779.

Congress was unwilling either to alienate Spain or give up the possibility of getting aid for the colonial campaign in the south; accordingly, the reply which was drafted from the Schuyler-Marchant report stated that, for the sake of complying with the desire of the Spanish king, the colonies were willing to make efforts toward the carrying out of the Florida project. These efforts were to consist in sending additional troops to Charleston and transferring three frigates from Boston to the same place. Further diversion in favor of Spain was impossible while Savannah was in British hands and the entire south menaced. It was suggested, however, that the governor of Havana be applied to for reinforcements; for this purpose, General Lincoln would be authorized to put himself in communication with Navarro.⁴⁰

True to its word, congress dispatched orders to Lincoln late in December to establish intercourse with Havana in order

to plan, adjust, and carry into execution measures for the reduction of Georgia and then to extend our operations to the conquest of East Florida.

Lincoln took a very sceptical view of the possibilities of the situation. In the first place, he confidently expected that the British intended to push the Georgia-South Carolina campaign. In the second place, he did not consider that the condition of the American forces was such as to enable them to carry on a successful attempt on St. Augustine.⁴¹ But the prospect of getting some aid from Spain being an alluring one, he hastened to carry out his instructions by sending Lieutenant Colonel Fernant, inspector of the American troops of South Carolina, to Havana in February, 1780. The latter was

⁴⁰ *Journal of the Continental Congress*, XV. 1386-1388; also A. G. I., Papeles de Cuba, Leg. 1281, Letter of the continental congress to Luzerne, December 1, 1779.

⁴¹ Washington Papers, 126, Lincoln to Washington, January 22, 1780. These manuscripts are located in the Library of Congress.

empowered to discuss and negotiate all aspects of a plan for coöperation between the Spanish and the Americans, first against Georgia, and after the completion of that campaign, against East Florida.⁴² Navarro tendered a cold reception both to the American and to his mission. He expressed surprise that the colonies should expect aid from Spain inasmuch as he had been informed that congress had proposed that the conquest of East Florida be undertaken alone and ceded to Spain for a stipulated sum. As for entering into any discussion of a project of coöperation with the Americans in an attack against the English, he declared that such action was far in excess of his powers or instructions.⁴³ Fernant returned to Charleston having accomplished nothing.

While the campaigns against Pensacola continued, the issue of an American attack on East Florida recurred again and again⁴⁴ but all opportunities for the colonies to consider such action passed with the embarkation of additional British forces for the south in April, 1780. As Washington wrote Lincoln: "We shall find ample employment in defending ourselves without meditating conquests."⁴⁵ The effect which the failure of the Americans to undertake the desired enterprise had upon the attitude of Spain is a matter of conjecture. Spain never brought the issue into its negotiations with Jay, however, and later developments proved that it was most unwilling that its forces should have any military connection with those of the colonies.⁴⁶

⁴² A. G. I., Papeles de Cuba, Leg. 1291, Instructions to Fernant, February 2, 1780.

⁴³ *Ibid.*, Leg. 1281, Navarro to Miralles, March 10, 1780.

⁴⁴ A. G. I., Indiferente General, 146-3-11, José de Gálvez to Miralles, February 2, 1780. Miralles was urged to remember that his was "the task of insisting to congress and Washington that they send a sufficient number of troops to take St. Augustine if they have not done so already".

⁴⁵ Washington Papers, B, XI, 254, Washington to Lincoln, April 15 1780.

⁴⁶ A. G. I., Indiferente General, 146-2-3, José de Gálvez to Bernardo de Gálvez, November 16, 1781. The king, it was stated, did not wish to become involved in the affairs of the Americans on account of the bad example which it would set for his own subjects.

While the events just related were occurring, Gálvez and the Spanish officials were preparing their own expedition against West Florida. No declaration of war had been made in America inasmuch as Gálvez hoped to fall upon the Mississippi forts of the English before they learned of the outbreak of hostilities. This move was not regarded as part of the West Florida campaign even though the forts in question were technically under the government of the province. A brief summary of the results of the campaign will therefore suffice. On August 27, 1779, Gálvez left New Orleans with about five hundred men. The preparation of the forces had been attended with great difficulty as a severe storm and hurricane had done extensive damage to the craft in the harbor and to the city itself. It is evidence of Gálvez's capabilities as a leader, as well as his personal magnetism and hold over his people, that he was able to continue the plan at all. The campaign lasted only one month and a day but its list of achievements was long. The Spanish had captured eight ships anchored in the Mississippi, taken three forts (Manchak, Baton Rouge, and Natchez), made prisoners of twenty-eight officers and five hundred and fifty veteran troops of England, and gained four hundred and thirty leagues of territory.⁴⁷

With the Mississippi posts in Spanish hands, Gálvez was able to bring to fruition the plans for the attack on West Florida proper which had been under consideration since the royal order of May 18. He was intensely enthusiastic over this chance to eliminate the menace which had been hanging over Louisiana ever since he had been its governor, but Navarro showed a decided coolness toward the proposition. His own reason for this was the weakness of Cuba. Unless additional troops were sent out, he declared, it would be impossible for him to carry out his part of the program.⁴⁸ How much his

⁴⁷ Archivos Nacionales de Cuba, Cartas de Bernardo de Gálvez a José de Gálvez, Bernardo de Gálvez to José de Gálvez, no. 325, October 16, 1779.

⁴⁸ A. G. I., Papeles de Cuba, Leg. 1290, Navarro to José de Gálvez, August 11, 1779.

attitude was influenced by the fact that Pensacola, not St. Augustine, was to be the goal, and Bernardo de Gálvez, not himself, reap the glory therefrom will probably always remain doubtful. Gálvez believed that jealousy of himself was the prime cause of the endless delays and evasions of the year and a half following the outbreak of the war.⁴⁹ It must be said in Navarro's behalf, however, that he was an elderly gentleman whose health was poor and whose temperament was not such as to arouse any liking for the risks and chances of the expedition. Spanish dominions were also so weak that any diminution of their military strength was a danger and Havana had in the past been only too often the object of British attack.

The plans of the contemplated operations which Gálvez drew up were sent to Navarro on August 17, 1779. Their basis was the report made by Jacinto Panis on August 6, 1779. Panis, an adjutant major of the Spanish troops stationed at New Orleans, had been sent on a mission to Pensacola in July of the preceding year. The purpose of the mission had been twofold: (1), to discuss certain questions at issue between the governors of the two provinces; and (2), to investigate the conditions, fortifications, resources, etc., of the city. The plan which Panis advocated required six thousand men, six warships, and other armed craft but Gálvez asked for only four thousand troops as he expected to be able to raise a force of a thousand at New Orleans. The contingents from Louisiana were to meet those from Havana at Balize at a specified time whereupon the united expedition was to proceed first to Mobile and thence to Pensacola. No maps of the English forts were at that time in Gálvez's possession but the lack was to be remedied by taking on the campaign local men expert in charting the region.⁵⁰ After the devastation wrought by the

⁴⁹ *Ibid.*, Leg. 177, Bernardo de Gálvez to José de Gálvez, November 27, 1780.

⁵⁰ Archivos Nacionales de Cuba, Cartas de Bernardo de Gálvez a Diego José Navarro, no. 201, Bernardo de Gálvez to Navarro, August 17, 1779.

hurricane, Gálvez asked for five hundred or one thousand additional troops.

As soon as the commander's dispatches reached Havana, Navarro called a special conference of prominent officials to consider them. The demands of the governor, it was decided, exceeded the power of Navarro, but the idea of an attack on Pensacola was endorsed and the date set for November 1, 1779.⁵¹ Criticism was also made that since the plan of campaign was a year old it did not take into consideration the recent reinforcements of the fort.

Shortly after the conference, or junta, Francisco de Navas was sent to Gálvez with a plan partially mapped out by the chief engineer of Havana, Luis Huet, from reports brought in by Tomás Manzano, captain of one of the Spanish vessels. Evidently, Navarro had already made up his mind not to follow suggestions from Louisiana. "If your Excellency gave up the present expedition against Pensacola", he wrote Gálvez,

from the views which Navas brings and from the results of the Manchak campaign and the recent notices concerning Mobile and Pensacola, your Excellency and Navas might plan a new attack keeping in mind the fact that it is not possible to draw a large number of men from this garrison.⁵²

The arrival of Navas about the middle of October was a bitter disappointment to Gálvez as he had hoped to leave for Florida that same month. The very mission of Navas indicated not only that no immediate attack would take place but also that a lengthy period of discussion and consultation must be passed through before any expedition could be launched. The suggestion that an entirely new plan of procedure be adopted and the non-committal attitude of Navarro regarding

⁵¹ A. G. I., Audiencia de San Domingo, 80-1-19, Navarro to José de Gálvez, September 11, 1779.

⁵² A. G. I., Papeles de Cuba, Leg. 1, no. 209, Navarro to Bernardo de Gálvez, September 22, 1779.

the number of troops which could be furnished made him suspect that "there were persons at Havana who wanted to command the expedition" even though a royal order had placed him at its head.⁵³ The actual proposition of Huet was considered excellently wrought out but totally impracticable inasmuch as it materially reduced the forces employed and advocated an attack on Pensacola before Mobile was in Spanish hands. Gálvez maintained that Mobile did not need Pensacola but that Pensacola could not stand without Mobile.⁵⁴

Upon the return of Navas to Havana another conference was held.⁵⁵ Forces were voted "for the capture of Mobile" consisting of twelve hundred infantry, forty artillerymen, and two hundred negroes for engineering and artillery service. These forces were to be accompanied by a hospital train and an adequate convoy; the entire expedition was to be in readiness by December 1 when Navas would leave for New Orleans to convey the information to Gálvez. Meanwhile Gironimo Girón, recently appointed second in command, departed for New Orleans that the governor might know of the action taken.⁵⁶

Until the arrival of Girón on December 22, Gálvez knew nothing of the trend of events at Havana, but he had continued his preparations expecting every day to receive word to sail. The letters brought by Girón not only from Navarro but also from other members of the conference and residents of Havana convinced him that official ardor having cooled, his letters were being purposely misrepresented and an effort made to attribute the substitution of Mobile for Pensacola to his sug-

⁵³ *Ibid.*, Leg. 177, Bernardo de Gálvez to José de Gálvez, November 27, 1780.

⁵⁴ Archivos Nacionales de Cuba, Cartas de Bernardo de Gálvez a Diego José Navarro, no. 228, Bernardo de Gálvez to Navarro, October 6, 1779.

⁵⁵ The members of the conference were as follows: Diego José Navarro, governor; Juan Ignacio de Urriza, intendant general of the army; Francisco Baptista Bonet, commander of the marine; Juan Dabañ, inspector of the troops; Luis Huet, chief engineer; Francisco Xavier de Navas, assistant engineer.

⁵⁶ A. G. I., Papeles de Cuba, Leg. 1291, Report of the Conference of November 17, 1779.

gestion. Such a construction was hardly reasonable as Gálvez had never mentioned Mobile as anything but a preliminary to the larger venture; also the fact that Mobile was weak and poorly defended made it well nigh ridiculous to suppose that a large force of the combined troops of New Orleans and Havana was necessary to take it. Yet such a policy would undoubtedly prove tempting to one who was looking for a way out of what seemed a perilous and undesirable situation and Navarro was, or at least considered himself to be, in that particular circumstance. In his letter to Gálvez dated November 20, 1779, he remarked that he "has concluded from your letters that you are persuaded that the expedition should go to Mobile instead of Pensacola".⁵⁷ A similar sentiment pervaded his communication to the viceroy of Mexico in which he said that, although Bonet and he did not entirely agree with Gálvez, they had yielded to his desire to take Mobile rather than Pensacola.⁵⁸ The same view is expressed to José de Gálvez. The objective of the campaign, he wrote the minister of the Indies, was changed from Pensacola to Mobile at the suggestion of Gálvez.⁵⁹ No mention was made in any of these communications that the commander considered the seizure of Mobile as merely the initial move in the whole enterprise to be followed at once by the expedition against Pensacola.

This attitude on the part of Navarro by no means simplified the situation for Gálvez, as the same ship which brought Navarro's letter brought other communications from various members of the conference which were full of complaints at the handling of the question. In this pass, Gálvez determined to send Esteban Miró to Cuba to urge that the forces voted by the conference be embarked at once and also, to estimate the political situation. Shortly thereafter, he made up his mind to proceed alone to Mobile. He felt confident that he would

⁵⁷ *Ibid.*, Leg. 1, no. 226, Navarro to Bernardo de Gálvez, March 3, 1780.

⁵⁸ A. G. S., Guerra, Leg. 6913, Mayorga to José de Gálvez, March 3, 1780.

⁵⁹ A. G. I., Papeles de Cuba, Leg. 1291, Navarro to José de Gálvez, January 11, 1780.

be able to effect its capture with the troops from Louisiana if need be but he fully expected to receive the promised twelve hundred before reaching his destination as it was long past the stipulated date of sailing (December 1). Accordingly, on January 11, 1780, he ordered the embarkation of his forces and, three days later, began the descent of the river even though no sign of Navas had appeared.

Thus end the projects and plans of the Spaniards for the reoccupation of the Floridas.

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SPANISH REACTION TO FOREIGN AGGRESSION IN THE CARIBBEAN TO ABOUT 1680¹

[Paper read at the session on the West Indies at the meeting of the American Historical Association, 1928.]

Foreign invasion of the Caribbean begins at least by 1514, when a Portuguese ship was seized off the coast of Santo Domingo, and the crew tortured, despite their plea that they were storm driven from their course for Brazil.² French ships may have cruised there as early, but became a serious menace some eight years later, when the constant European wars had extended to the Spanish domains in America. The surety of the struggle increased as Europe learned the economic opportunities of the Caribbean, only to be barred by the exclusivism of the day.

French corsairs of the sixteenth century, therefore, began chiefly as fighters. A half century later, though still warlike as occasion arose, they tended strongly toward contraband trade, influenced by greater profits, American connivance, and changing policies in France. Later the famous English "Sea Dogs" began in all sincerity as traders, but the treatment

¹ This paper is an attempt to summarize parts of an enormous documentation, gathered mostly in the Spanish archives, for the first of three projected volumes on "The Caribbean as a Center of International Conflict, 1492-1904". Exact citations have been given for statements that can be ascribed to single papers, especially if the reference is in print. Otherwise, only a general note on the main repositories of information on large sections of the subject is included. A very valuable source for the whole period is Cesáreo Fernández Duro, *La Armada Española desde la reunión de los reinos de Castilla y de Aragón* (9 vol., Madrid, 1895-1903). Equally good on the French side is Charles de La Roncière, *Histoire de la Marine Française* (2 ed., Paris, 1923). W. L. Clowes, *The Royal Navy from the earliest Times to the Present* (7 vols., Boston and London, 1897-1903), though excellent of its type, is too closely confined to British naval operations to be of much value for our purposes. It is fortunately supplemented, especially for the later period of this study, by the very scholarly study of C. H. Haring, *The Buccaneers in the West Indies in the Seventeenth Century* (New York, 1910).

² 75 Muñoz MSS. (in Real Academia de la Historia), fol. 332.

awarded Hawkins in his voyages of 1562 to 1568 showed such a status to be impossible, and the economic motive joined nationalistic and religious hatred to make the English seamen the most dreaded of all the Caribbean interlopers till the rise of the Dutch in the seventeenth century.

During the latter century, the invasions show new phases. The sea rovers or buccaneers continued as a combination of merchant and warrior—one perhaps as often as the other—with the only half-concealed approval of the English and French governments,³ but were joined by naval detachments during open war, and were constantly accompanied by, or becoming, colonizers of the lesser Antilles that Spain so disastrously had failed to occupy in previous years. Whatever their exact status, Spain held them all one, as pirates to be resisted to the utmost.

Spain was unequal to the task. In the beginning, to be sure, Spain considered itself the first power of the world. American treasure flooded its coffers, and its army and navy were the admiration and dread of all Europe. The savage thoroughness with which it extirpated the French Huguenot colonies in "Florida"⁴ shows what could be achieved in the way of defense when Spain was aroused, but since neither crown revenues nor sovereignty were greatly endangered by the prevalent sacking of minor towns and seizure of coast-wise shipping, Spain preoccupied and exhausted itself in struggles over European dominion, and spared little effort for the protection of America.

Resistance in the Caribbean to about 1586 was therefore slight. The inhabitants were abandoned largely to their own resources. They were forced to form militia bodies, and

³ See Haring, *op. cit.*, especially for the last half of the seventeenth century.

⁴ An excellent account of this well known and much debated incident is in Woodbury Lowery, *Spanish Settlements within the United States, 1562-1574* (New York 1905). It formed the subject of several contemporaneous Spanish accounts, as well as those by Le Challeux and Laudonnière. It is discussed also in a volume, written by Charles de La Roncière, called "French Florida", soon to be published by The Florida State Historical Society.

numerous royal cédulas required citizens to have arms,⁵ but it was at their own expense in every case where anything specific is said.⁶ It is possible that such fairly extensive shipments of arms and munitions as followed the French threat in Florida⁷ were exceptions to this rule, but Spain for the most part confined itself to such minor measures as severe penalties against captured foreigners or persons trading with them,⁸ and the provision of convoys for the annual fleets. The Spanish concomitant endeavor to prevent foreigners learning the routes to the Indies by barring them from the legal navigation is also well known,⁹ but the reverse, the spy system maintained to furnish warnings of attack, was equally well developed. Many records show that special agents constantly watched the more dangerous ports in France and England,¹⁰ in order to supplement the normal activities of the ambassadors in that regard.

⁵ *E.g.*: *Colección de documentos ineditos . . . de Ultramar*, VI. 170, X. 527-528.

⁶ See Buckingham Smith, *Colección de varios documentos para la historia de Florida* (London, 1857), pp. 103-107.

⁷ Between 1565 and 1571, royal orders provided for sending Puerto Rico 100 arquebuses, 100 pikes, 20 barrels of powder of one arroba each, 14 hundredweight of lead, and 200 morions, and approximately similar shipments for Havana, Cartagena de Indias, and Santo Domingo. *Relación de artillería y municiones. . .* (no date), Archivo General de Indias (hereafter referred to as A. I.) 53-6-6.

⁸ Thus, it was ordered December 31, 1557, that captured officers of French ships be flung into the sea or hanged, and the crew be sent to the galleys (Fernández Duro, *op. cit.*, II. 462). Such orders were by no means universally enforced, according to my observation, probably because of fear of reprisals.

⁹ *E.g.*: Royal cédulas of December 6, 1538, and June 18, 1540, in *Col. de doc. ined.* . . . *de Ult.*, X. 448-449, 516-519. The obverse of this is interesting. A royal cédula of May 1, 1551, explained that there were many Levantines, Genoese, Flemings, and Germans now in the navigation, who if forbidden to continue might become discontented and sell information to other nations, and therefore allowed them to proceed as before, upon giving bonds to return only to Spain (86 Muñoz MSS., fol. 86).

¹⁰ Buckingham Smith, *op. cit.*, pp. 107-108, where a spy mentions Cartier and Roberval, is of interest for the 1540's. The agents were especially active in the 1570's in both France and England. A portuguese, Antonio Fogaza, was at that time in England (*Cal. St. Pap., Spain*, (1568-1579), p. 534; Archivo General de Simancas, Sección de Estado—hereafter referred to as A. S., Est.—826, folio 67); and one Juan de Ollaqui in France (A. I., 2-5-1/22, no. 51).

The results were most unfortunate for the Indies. Of all the scores of instances gathered by the present writer from printed and manuscript sources, the cases in which the corsairs either failed to gain their objective or met with any serious opposition, are startling by their rarity. A few examples occur of the inhabitants making so desperate a resistance that the foreigners finally withdrew without sacking the town, as happened at Rio de la Hacha in 1544, or at Santa Marta the next year,¹¹ but even in these two cases the invaders were bribed either with trade or currency, and the same is probably true of most of the other apparent exceptions. It is hard to suppose that the Spaniard suddenly lost his world-famous courage and fighting qualities by mere transplantation to America, however widely the opinion may later have been held by his own countrymen. It is hardly less difficult to account in any other way for the seeming pusillanimity with which towns depopulated themselves and ships were beached at the approach of a foreign force often ludicrously outnumbered by the fleeing Spaniards. Perhaps lack of artillery and arms was a greater handicap even than it appears. Whatever the reason, Spain's resistance was slight so long as it relied on its colonials.

The obvious defenses—the maintenance of forts in the settlements and a fleet on the sea—were little regarded. The larger towns had castles, but they had been built because of danger from Indians or civil riots,¹² and had little value against sea attacks. The harassed colonists sometimes built light earthworks at their own cost, as at Santiago de Cuba in 1545,¹³ or sometimes received such meager aids from the crown as the chain sent Santo Domingo in 1543 to close the

¹¹ Fernández Duro, I. 210; Herrera, *Historia General*, Decada 7, Libro 10, Capitulo 18.

¹² Their present-day location would prove this, lacking all documentation. Like the *Fuerza* at Santo Domingo, they are all located in the centers of the towns, often well away from the sea entrances.

¹³ *Col. de doc. ined.* . . . *de Ult.*, VI. 243.

entry to the harbor,¹⁴ but important forts or garrisons were found in no American port before 1585.

The use of fleets against the sea marauders was but little better. There were, it is true, several experiments fairly early. Brigantines or other craft for a guard were sent Santo Domingo and Puerto Rico about 1533,¹⁵ but they arrived without arms, munitions, or equipment, and can have operated only briefly if at all. Again, a royal cédula of February 13, 1552,¹⁶ caused the establishment at Santo Domingo of a group of three ships and a patache with three hundred men, to guard the islands. So little attention was paid them, however, that the governor succeeded in outfitting them only by such expedients as stripping the castle at Santo Domingo of its guns,¹⁷ and they were wrecked in the Indies too soon to achieve much result.¹⁸

Growing dangers, chiefly, perhaps, the new English menace, lent greater vigor to the idea, and after long debate, the crown decided that the convoy warships of the trade fleets, which cruised after corsairs while awaiting the return of their merchantmen, were plainly insufficient, and a small fleet of two galleys and a sloop sailed for Cartagena in 1578. Though hardly adequate to clear the seas, they were shortly successful enough greatly to lessen foreign boldness, and as a result, in 1582, two more galleys departed for the defense of Santo Domingo and Puerto Rico.¹⁹ All were supported chiefly by an

¹⁴ R. Oficiales to the emperor, Santo Domingo, 10 April, 1543, 83 Muñoz MSS., fol. 96 vuelto.

¹⁵ *Col. de doc. ined.* . . . *de Ult.*, IV., 354; A. Tapia y Rivera, *Biblioteca Histórica de Puerto Rico* (Puerto Rico, 1854), p. 297. They were sent out knocked down.

¹⁶ 86 Muñoz MSS., fol. 180.

¹⁷ Governor Oviedo to the crown, Santo Domingo, 3 Sept. 1552 (86 Muñoz MSS., fol. 126).

¹⁸ *Col. de doc. ined.* . . . *de Indias*, III. 513-520; Haring, *Trade and Navigation between Spain and the Indies in the Time of the Hapsburgs* (Harvard University Press, 1918), pp. 205, 251; Fernández-Duro, I. 443-451 *passim*.

¹⁹ Most of the information on these early fleets comes from A. I., 2-5-1/22, 2-5-1/24, and 2-5-2/25.

avería duty of one per cent, and oared by slaves and convicts, many of them former corsairs.²⁰

Diplomatic interchange, the only remaining mode of Spanish resistance, was of course fruitless so long as Spain showed its physical forces so weak. Peace occurred in Europe at times, but as neither side would recede from its demands concerning America, that region was generally unmentioned. At least as early as the treaty of Cateau-Cambresis of 1559, between Spain and France, however, an oral agreement seems to have set up the famous "Lines of Amity", essentially creating the Caribbean as a zone where, regardless of European conditions, French or Spanish ships navigated at their risk on meeting with men of the other nationality.²¹

How little diplomacy could mean for the defense of the Indies under such conditions is evident. The most famous exploits of Drake and other Englishmen occurred while Spain and England were yet technically at peace. As for France, accounts casually available when the Spanish crown desired information in June of 1571, showed a long series of aggressions by ships of that nation since the treaty of 1559. They had observed the peace well enough for a few years, but a breach once more appeared in 1564, another the next year, two in 1567, four in 1568, another in 1569, three in 1570, and two had already been reported in 1571.²² The present writer has made no effort to check these against cases known to him from other sources, but believes that they are only part of all that took place.

²⁰ In 1593, the crew on the main ship of the Cuban guard (created in 1586) had 21 officers, 24 seamen, 46 soldiers (five of them volunteers without pay), and 254 oarsmen, these including 13 on pay, 49 slaves, and 192 *forzados*. The latter were largely from Spain, but among them were 18 French, 5 English, 1 Irish, 1 Fleming, 1 Portuguese, 1 Constantine, 1 German, and a number of colonials. Two pilots were French and Portuguese, and a cooper was also French. See *Relacion de la gente* . . . 27 October, 1593 (A. I., 2-5-2/25).

²¹ See F. G. Davenport, *European Treaties bearing on the history of the United States and its Dependencies* . . . (Washington, 1917), pp. 219-221; Lowery, *op. cit.*, pp. 24-25. The lines were well recognized in the seventeenth century.

²² *Memoria*, 20 June, 1571 (A. I., 2-5-1/22, no. 53).

Spanish resistance stiffened, however, beginning in 1586. As can be seen, the increasing danger had been producing its effect; now Drake and Hawkins's great raid in 1585 and 1586, when they occupied Santo Domingo and Cartagena, and proved other towns utterly defenseless, awoke Spain to its imminent peril. For some fifteen years, royal efforts concentrated on a consistent plan. The famous military engineer, Juan Bautista Antoneli, long in Spanish service elsewhere, was at once despatched to the Indies²³ on a tour of inspection. He returned in 1587, and in conjunction with the king's chief engineer, Tibureio Hispanoqui, drew up a general scheme for fortifying the Caribbean.²⁴ The crown approved this, and for a few years fortification of major ports like Havana, San Juan de Ulua, Puerto Rico, and the newly-founded Portobello progressed rapidly, and garrisons of regular troops were established or reinforced.²⁵ In the same years, the coast-guard fleets developed, Cuba being assigned two galleys for the first time in 1586, and the other squadrons strengthened or renewed. A few years later, the galleys of Santo Domingo being out of commission, and the others inadequate, the king created a new Windward Squadron for the whole Caribbean, which sailed in 1598 and was composed of six frigates and other craft. The fleet divided in the Indies, half for Tierra Firme and the rest

²³ Royal Appointment, 15 February, 1586. (A. I., 32-3-1/34).

²⁴ Antoneli's information was shortly known in England. Part of his report appears in Hakluyt, printed soon after, and also in the private papers of Thomas and John Egerton, prominent figures under Elizabeth and James. See Huntington Library, Ellsmere Papers, Vol. 26 (MSS. Room, EL 1682).

²⁵ The officials had little confidence in the colonial troops. The opinions of the governor and archbishop of Santo Domingo will serve as samples. The former wrote, "Of all [the *vecinos*] one can have little confidence, as has been shown in the two times that they have had to touch arms". (Governor Portocarrero to the crown, Santo Domingo, 4 July, 1590, A. I., 53-6-6, no. 16). The archbishop told the king on October 8, 1600, "I understand that the defense of this city for now consists in its poverty, because force for resisting there is not. The *vecinos* do not exceed two hundred, and at most have twenty or thirty men among them who can, with the *presidente*, make front to the enemy. The others have neither arms nor desire except to go to the forests as they have done at other times". (A. I., 54-1-9, no. 49 1/2.)

for New Spain, but they joined at Panama at least for some occasions.

The debacle of Drake and Hawkins in 1595, when their strong fleet was beaten off from Puerto Rico and Panama, and dare not even attempt Cartagena, illustrates the growing power of Spanish forces in the region, and it is doubtful if the foreign raiders shortly thereafter usually gained expenses, whatever be true of the contraband trade. Resistance began to break, however, almost as soon as it commenced to take effect. The economic deterioration of Spain was plainly visible before the end of the sixteenth century, while the defeat of the Great Armada in 1588 destroyed for years its long accumulated ships, troops, and funds, and ended forever its naval prestige and keenest morale. As for the weakness of the monarchs after the death of Philip II. in 1598, that is too well known to require comment as to its probable effect on America.

When, therefore, to dwindling resources and vanished energy there was added the cessation of war with both England and France, and finally a truce with the Netherlands,²⁶ weakness and a disastrous lack of steady policy resulted for America. Work upon the forts stopped almost entirely in the last decade of the century, garrisons went unpaid and discontented for months at a time, and finally even the Windward Squadron fell to ruin. For the few years after its creation, even, it had convoyed merchantmen to and from Spain instead of remaining in the Caribbean, and it stayed in Spanish waters from 1608, being added to the Oceanic Fleet in 1610.²⁷

The re-creation of a small squadron specially for Cartagena seems to date from shortly before that time,²⁸ and it is

²⁶ By the treaty of Vervins (1598) for France (see J. Dumont, *Corps Diplomatique*, V. partie 1, 561-573), that of London for England (1604/5), and the truce of Antwerp (1609) for Holland (see Davenport, *op. cit.*, documents 27 and 28).

²⁷ Much of the information on this fleet, from its earliest ordering in 1595 to its end in 1610, comes from official but non-contemporary accounts in A. I., 152-2-19 and 152-3-10. Many contemporary papers on this very important period have so far escaped my search.

²⁸ Papers in A. I., 2-5-2/25.

possible that other local governors in the Antilles followed the example of Governor Valdés of Cuba, who in 1602 formed a tiny fleet of his own;²⁹ but most Spanish activity early in the seventeenth century consisted of attempts to end the universal contraband trade by severity with captured foreigners, or by removing its American opportunities. Thus, as early as 1600, the governor of Cumaná suggested poisoning the salt pans at Araya to prevent the contrabandists resorting thither; a few years later cultivation of tobacco in Venezuela was forbidden for the same motive;³⁰ and projects to depopulate the thriving Cuban towns of Baracoa and Bayamo, because of value to the enemy, also occur about this time.³¹ The last plan was compromised in 1607, after long discussion, by dividing Cuba into two jurisdictions to insure better defense and prevention of contraband;³² but the previous year saw every one of the flourishing towns on the north shore of Hispaniola demolished, and their dwellers, herds, and property moved bodily to regions nearer governmental control,³³ because of inability otherwise to stop illicit trade.

The remaining period of our study continues to exhibit bursts of great activity punctuating years of slothful decay. The years of decay are founded mostly on the Spanish background: the sporadic outbreaks of energy on the other hand were largely due to the stimulus of some special danger or terrible disaster in America itself.

The story of the fortifications shows this plainly. Thus, well-founded fear as the Dutch truce neared its end in 1621 was very instrumental in strengthening the Antilles. Cédulas

²⁹ I. A. Wright, *Rescates with special reference to Cuba*, in THE HISPANIC AMERICAN HISTORICAL REVIEW, III. (August, 1920), 344-345.

³⁰ J. A. Williamson, *English in Guiana, 1604-1668* (Oxford Press, 1923), p. 26.

³¹ A. I., 54-1-15 and 54-2-7.

³² Royal cédula, 8 October, 1600 (Library of Congress, MSS., *Documentos Históricos Cubanos, 1597-1826*, ff. 3-5; papers in A. I., 147-5-16).

³³ *Autos y testimonios, Santo Domingo, 1606* (A. I., 53-6-6; Charlevoix, *Histoire de l'Isle Espagnole*, 2 vol., Paris, 1730, I, 481-482).

of 1618, for instance,³⁴ ordered the garrisons of Puerto Rico and Santo Domingo reinforced, a garrison of twelve men stationed at Santiago de Cuba for the first time, arms to be sent out, and any surplus to go to Havana. As a result of these and other orders, the governors of Havana reported in 1622 that the Morro there was virtually impregnable, from its situation, its fifty bronze guns, and two hundred trained soldiers. These were in addition to two other forts and eight hundred trained militia.³⁵ Such a claim was possibly too optimistic, but it is undeniable that much improvement took place both there and elsewhere in the Caribbean at this time. The great period of foreign colonization in the thirties and forties accounted for other minor activities, such as the further strengthening of Havana by the famous towers of Chorrera and Coximar, constructed about 1641 to 1643.³⁶ Perhaps the greatest of all, however, was the English assault on Santo Domingo and seizure of Jamaica in 1654 and 1655, which caused a wave of feverish entrenching and wall building as the news spread, all the way from Puerto Rico³⁷ to Yucatan³⁸ and south. So great was the fright caused that work was often begun by diverting local funds, or gathering private subscriptions, and trusting to receive royal approval and aid later.

Much of the above activity came too late for the immediate need against which it was designed, but since masonry is most generally little damaged by weather, every renewal of construction made a gain. By the last quarter of the seventeenth century most harbors important for trade or military strategy possessed strong forts and fair garrisons, and many works not contemplated by Antoneli's plan had arisen in lesser towns.³⁹

³⁴ Royal cédulas, 18 September, 1618 (A. I., 78-2-2, lib. VII, 46 vuelto).

³⁵ Governor Venegas to the crown, 12 August, 1622 (A. I., 54-1-17).

³⁶ Papers in A. I., 54-1-18 and 55-5-24.

³⁷ Papers in A. I., 54-3-8.

³⁸ Papers in A. I., 63-4-17.

³⁹ Legajos devoted to these various forts too numerous to list are conserved in the Archives of the Indies.

As for the fleets, the small squadron stationed at Cartagena was much complained of as inadequate and formed of a poor type of ships, but it persisted till 1665, when it was ordered⁴⁰ combined with the newly founded Windward Squadron. The convoy ships of the trading fleets, as well as naval detachments infrequently despatched from Spain on special missions, were furthermore quite active. Less can be said of the main Windward Squadron. No one questioned its desirability. Every American complaint of foreign aggression begged for it; every consequent *consulta* of the council of the Indies recommended it; the royal replies always conceded its justice. Finances were the problem. The American provinces paid special taxes for the fleet during most of the century, but to withhold those moneys from the general Spanish necessities proved wellnigh impossible. The fund had no sooner started in 1605 than we find a complaint that the crown had used it for other purposes.⁴¹ And on June 18, 1676, the council culminated a long agitation on the subject by forwarding a statement, not too mild in tone, of the numerous times that the king had continued to divert the money within recent years.⁴² The king promised to refrain in the future, but no later than December of that year the council recurred to the charge, noting that he had transgressed again!

Under the circumstances, even when the steady pressure of the interested parties finally brought about the creation of an armada, it was certain to last only a few years, and to spend much of its time out of Caribbean waters. A brief sketch of its history till 1680 will illustrate the point. It did not exist at all between 1610 and 1643, despite the constant agitation, and even though the crown ordered it reconstituted in 1635 and to be composed of twelve galleons totalling five thousand tons. A great mass of papers resulted, but no fleet, till finally the danger to the whole empire became so serious

⁴⁰ Consejo de Indias, Madrid, 18 July, 1665 (A. I., 152-3-3, no. 242).

⁴¹ Junta de Guerra de Indias, 27 November, 1607 (A. I., 152-2-19, no. 76).

⁴² Consejo de Indias, 18 June, 1676 (A. I., 152-3-6, no. 105).

that even the supreme council of state intervened and advised its reformation, pointing out that the only way safely to punish English insolence "beyond the line" was to have stronger forces there than the "pirates". Otherwise, Spain would suffer more than England from any attempt at chastisement.⁴³

Eight ships were finally gathered, and sailed for America in 1643. No sooner had they arrived, however, than seven of them returned to Spain as a merchant escort. The king agreed that having been formed for that purpose, they should remain in the Caribbean, but, nevertheless, less than a month later ordered their infantry sent to the relief of Badajoz, and the ships appear to have considerably delayed their return to America. Once more in 1647, four of them arrived in Spain with the trading fleet. This was in disregard of positive orders, but the commanding officer explained that he had been unable to obtain money from New Spain for his expenses for four months, in spite of his best efforts, and therefore had had to return. The *junta de guerra* suspended judgment to investigate whether he merited punishment or praise, and, in 1648, the whole squadron was merged with the Oceanic Fleet, once more leaving the Indies open to attack.

In 1665, the armada was for the third time reformed, this time with eight ships, four of them specially built in Holland for the purpose. Though ready to sail early in January, they were held in Spain till September to transport troops for the war with Portugal, and lack of money by then once more caused their addition to the Oceanic Fleet. Finally, however, three of the eight were detached and sent to America in 1667, accompanied by two pataches. Their ill luck was not yet over. Hardly had they arrived when the *almiranta* and pataches were caught and burned at Maracaibo by the buccaneers, and the remaining two were ordered back to Spain with the treasure fleet, where the squadron was once more abolished.

⁴³ *De oficio*, Consejo de Estado, 26 de Octubre, 1641 (A. S., Est., 804).

It was no time for lessened efforts, and sharp lesson after lesson in the Indies finally forced reestablishment in 1676, this time of two ships and three frigates, which sailed in 1677, adding another frigate of three hundred tons, and lesser craft, in America. In more or less this form, the armada lasted till its strict necessity had passed—long after the end of the period now under consideration—increasing in strength and effectiveness for some years, and then as steadily declining.⁴⁴

Even under such conditions, Spain achieved far more immediate result by its resistance than is commonly realized. Given anything like equal terms, its ships won at sea as often as they lost, and it not infrequently repulsed attacks made with great force against its settlement. Instances like the Dutch naval assault on Puerto Rico in 1626 might be multiplied; the most spectacular of all, the disgraceful fiasco of Penn and Venables at Santo Domingo in 1654, before they descended upon Jamaica,⁴⁵ is still almost unknown to the English speaking world, despite its crashing reverberations at the time. Similarly, no foreign colony was established in the Antilles, without serious danger of attack or dislodgment by a Spanish force. For several years after first learning of the English settlement of Bermuda, in 1611, the government busied itself with projects for regaining the island.⁴⁶ In 1669, on the very eve of the final real peace with England, the council

⁴⁴ In 1701, it consisted of only three frigates, an *urca* recently left by a merchant fleet, and lesser craft. In its prime nature, it practically ceased to exist a few years later. A Windward Squadron is not infrequently heard of during the eighteenth century, but appears to have been a small fleet directly appertinent to the viceroyalty of New Spain, and to have been used largely to carry the *situado* to the Antilles. Among the more important of the many legajos exclusively devoted to this squadron during the period of our study in the Archives of the Indies, are the following: 152-1-21, 152-1-22, 152-2-19, 152-2-20, 152-3-1 to 8, 152-4-19.

⁴⁵ The contemporary literature on this is vast. Aside from the many manuscript reports and papers, at least five printed *relaciones* resulted in Spain, but the most available of the Spanish stories are now in *Spanish Narratives of the English Attack on Santo Domingo*, contributed by Miss Irene A. Wright to the Camden Miscellany, XIV. (London, 1926). On the English side, see Firth's edition of the *Narrative of General Venables* (London, 1900), and other references there cited.

⁴⁶ Papers in A. I., 54-6-27.

of state was still recommending rooting the English bodily out of Jamaica and other islands.⁴⁷ Neither of these projects was carried out, but between and after them Spain did do much. At the very time that it failed to attack Bermuda—chiefly, perhaps, because of its distance from Spanish colonies—it dislodged the English and Dutch colonists from Trinidad.⁴⁸ Forces originating in America put through many successful attacks, like those on Tortuga in 1634⁴⁹ and again twenty years later, while naval detachments sent from Spain accounted for many other invaders, notable instances being the clearing of the English and French from St. Kitts and Nevis in 1629 by General Fadrique de Toledo's armada of thirty sail,⁵⁰ the expulsion of the Dutch from San Martín in 1633 by the Marques of Cadareyta,⁵¹ and Díaz Pimienta's ejection of the English from Santa Catalina in 1641.⁵²

Lack of permanent benefit was Spain's difficulty, as failure or inability to consolidate Spanish gains annulled its most brilliant successes. Spain never had strength to recoup its chief losses, like Jamaica and Curaçao, though projects to that end were frequent; and lacked resources to hold such important reconquests as Tortuga, St. Kitts, and Santa Catalina, resulting always, and usually promptly, in their reoccupation by the foreigner.

⁴⁷ Papers in A. S., Est., 993.

⁴⁸ Papers in A. I., 54-4-1.

⁴⁹ Papers in A. I., 2-5-1/28. In this case, the leader and 195 others were beheaded, only thirty-nine being made prisoners. Fear of reprisal prevented such barbarity in most instances.

⁵⁰ *Relación embiada por don Fadrique de Toledo . . . avisando de lo sucedido a la Armada desde que salió de España hasta que entró en Cartagena* (folio, 4 pp., Granada 1630). This is given as typical of the printed accounts which celebrated Spanish victories. It has seemed useless to cite them regularly, as they are little more available in the United States than the manuscript archival records themselves.

⁵¹ Papers in A. I., 73-2-17.

⁵² Papers in A. I., 73-2-17. The English called this Providence Island. See A. P. Newton, *Colonizing activities of the English Puritans* (Yale University Press, 1914).

The end of extra-legal violence, therefore, came only in part from Spanish efforts. More truly, it arrived because Spain acceded to, and ceased opposing, the inevitable. The progressive hopelessness of the Spanish position grew plain, as the foreigners grew stronger and stronger at home and abroad, while Spain as steadily declined. But the foreign nations also became weary of war. By the third quarter of the seventeenth century, moreover, they held most of the desirable territory in the Antilles, and had so strongly intrenched themselves in the contraband trade that peace became acceptable even without Spain abating its prohibitions against commerce.

A series of treaties resulted. The European status of Holland, the situation elsewhere in the world, and the Dutch contentment with small territorial seizures, caused the liquidation of the Dutch American claims as early as 1648, when article five of the Treaty of Munster⁵³ provided that the Dutch should retain all territory actually possessed in America or elsewhere, in return for which they promised to refrain from trading with the Spanish domains. The other nations achieved similar terms only after decades of fruitless negotiations,⁵⁴ but, finally, the "American Treaty" of Madrid, in 1670, agreed that

the most Serene King of Great Britain, his heirs and successors, shall have, hold, keep and possess, in perpetuity, with full right of sovereignty, lordship, possession, and propriety, all the lands, regions,

⁵³ Davenport, *op. cit.*, document 40. The papers on the Spanish side form many legajos at Simancas.

⁵⁴ The documents on the English parleys appear chiefly at Simancas, but some on the later years are also in the Archivo Histórico Nacional, in Madrid. Practically everything concerning French relations was seized during the Napoleonic invasion, and carried to Paris, where it now forms part of Section K in the Archives Nationales. As a result, Simancas has nothing of importance in that field, but a few legajos are still in the Archivo Histórico Nacional, Sección de Estado. The student should remember that as I write this, two more volumes of Miss Davenport's *European Treaties* are soon to appear, bringing the work down to 1713 or later.

islands, colonies, and domains . . . in the West Indies or in any part of America which the said King of Great Britain and his subjects at present hold and possess,⁵⁵

with the compensating promise to refrain from illegal trade. European and American factors long delayed the actual consummation of a similar treaty with France, but it was certain from the time of the English peace.

The buccaneers presented the only serious problem after 1670. Holland fairly kept the peace from 1648, however much it offended in regard to trade; Great Britain did the same from 1670, ordering the buccaneers to cease their operations.⁵⁶ This merely transferred their base of work to French territory, and they continued under French patents. Soon, however, they became an international nuisance, as dangerous to English and Dutch trade as to Spain, and at last they attacked France itself. English support, therefore, aided the efforts of the Windward Squadron, whose refounding in 1676 we have already noted; a great Dutch fleet swept the Caribbean against them that same year,⁵⁷ and finally even France, though the treaty of Nimeguen of 1678/9 failed to mention the West Indies in making peace with Spain,⁵⁸ chose to annul its letters of marque, and in 1680 despatched ships against its former agents, whom it now considered pirates.⁵⁹

The end occurred long after that date;⁶⁰ its beginning is its importance for us. Together with the peace treaties, it marks the acceptance by the foreigner, as by Spain, of a new era in the Caribbean, during which disturbances are largely of a variety more comprehensible today, the result of open

⁵⁵ Dumont, *op. cit.*, VII. partie I, 137.

⁵⁶ There are many interesting documents on this in the Archives of the Indies, such as those in 54-3-8. The Spanish colonists had a healthy suspicion that this might be, like earlier similar orders, a blind for increased depredations.

⁵⁷ Papers in A. I., 152-3-6.

⁵⁸ Dumont, VII. partie I, 365.

⁵⁹ Papers in A. I., 152-3-11.

⁶⁰ See Haring, *Buccaneers*, *op. cit.*

warfare or cases of individual lawless outbreak. As such, Spain needed no special Caribbean defense policy, but could depend on the usual wartime agencies of all nations. The close of an epoch may reasonably be placed at about 1680.

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THE REACTION IN ENGLAND AND AMERICA TO THE CAPTURE OF HAVANA, 1762

[Paper read at the session on the West Indies, at the meeting of the American Historical Association, 1928.]

August 13, 1762, after a prolonged siege "in the face of difficulties supposed to be insurmountable", Havana, the "Queen of the Indies", indeed the very key¹ to the great Occidental empire of Charles III., capitulated to Sir George Pocock.² The moral and economic effect of such a blow was incalculable. Havana had long been considered impregnable, the inviolate symbol of Spain's sovereignty in the west. It commanded the Florida channel through which all the fleets bound for Europe were obliged to pass.³ Spain, by challenging England, hoped to regain the gateway to the Mediterranean, but instead lost the very key to the Indies, while Britain won the Gibraltar of the west.⁴

Captain Hervey, carrying Admiral Pocock's dispatches, arrived in London on September 27, 1762.⁵ The news spread throughout the British Isles like wildfire. All England was moved with unbounded joy, for the victory produced a sensation.⁶ The entire nation was wearied almost to apathy by

¹ Philip II. gave Havana a coat of arms, in which was a golden key to signify that it was the key to the Indies. "Havana, the principal fortress in the large island of Cuba, well known to be the key to the Spanish West Indies" (John Almon, *Review of Lord Bute's Administration*, p. 43).

² Sir George Pocock was well known by 1762 as a victorious admiral in the East Indies. See *Annual Register*, 1762, p. 36. The Pocock letters are in the Huntington Library, San Marino, California. George Keppel, the Earl of Albemarle, was in command of the land forces of some ten thousand men.

³ It was the center of "the whole trade and navigation of the Spanish West Indies," and "without which it cannot be carried on." It utterly intercepted the enemy's resources and exposed the whole of Spanish America (*ibid.*).

⁴ *Ibid.*, p. 36 *et seq.*

⁵ London, *Chronicle*, September 28, 1762.

⁶ See London *Advertiser*, October 1, 1762: "The joy expressed by all ranks on this occasion is unbounded"; and London *Chronicle*, September 28, 1762.

the long years of fighting, by the great loss of life and treasure, and by the ever increasing burden of taxation. The gloom which had enveloped the country was lifted like magic and the whole nation was borne on "flames of Triumph". The victory, so "agreeable and interesting", was announced to the London populace by the firing of the Tower guns. Bonfires and illuminations were general throughout the country,⁷ while all ranks of people were "diffused with joy".⁸ The London correspondent of the *Boston News Letter* wrote that the evening following the report of the capture of that "strong and important place", the London populace expressed themselves with "every unbounded mark of exultation". They were not so much carried away by the immediate effects of the conquest, but sensed the fact that their enemies would be greatly distressed

in their most vital points; viz: by that of ruining their marine and cutting them off from their treasures.⁹

The *London Chronicle* described as "unbounded" the exultation due not alone to the importance of the acquisition, but also to the luster shed upon his majesty's arms and the tendency the victory would have

to impress our enemies, especially our most recent one [Spain], with a due sense of the singular ardor and intrepidity of the British soldiers and sailors.¹⁰

⁷ *Ibid.* *Boston News Letter*, December 16, 1762: "Brighton illuminated his thatched church and all Egham was on fire, and even Bishopgate had its burn-fires and illuminations. I hear London, the City especially, were nobly lighted up". See also, Duke of Cumberland to the Earl of Albemarle, October 2, 1762, Rockingham, *Memoirs* I. 126.

⁸ *Boston News Letter*, December 16, 1762.

⁹ *Ibid.*

¹⁰ *London Chronicle*, September 28, 1762. The articles of capitulation are published in *ibid.*, December 30, 1762; *Boston News Letter*, November 4, 1762; *Boston Gazette*, November 1, 1762; *London, Universal Magazine*, October, 1762; *Scots Magazine*, October, 1762; *Royal Magazine*, October, 1762; *London Magazine*, October, 1762; *Gentleman's Magazine*, 1762, contains many official documents, diaries, journals, and a description of Havana.

George III. held a great court at St. James's, where he received the congratulations of his loyal subjects.¹¹ The colors taken at Havana were presented to him by the earl of Halifax.¹² The common council of London, after holding an "extraordinary court", presented its compliments to his majesty upon the success his arms had achieved at Havana. The council said in part:

It is with the highest pleasure we reflect upon the value and importance of this conquest, attended with the acquisition of universal riches and an irreparable blow to the trade and naval power of Spain.^{12a}

The "lords of the realm" expressed their satisfaction upon this "signal success" which they described as the very "bulwark of the Spanish colonies".¹³ The commons were more enthusiastic, congratulating the king upon the "glorious and important conquest", as it had brought much treasure and a considerable portion of the Spanish navy into his majesty's hands.¹⁴

Possibly the mood of the nation was best expressed by the *Annual Register* when it described the conquest as the most "lucrative" that had ever been made. Then after a longer description of the "memorable siege" than was customary, the editor deeming an explanation necessary for this digression said:

It was, without question, in itself the most considerable, and in its consequences the most decisive conquest we have had since the beginning of the war; and because in no operation were the courage, steadiness, and perseverance of the British troops, and the conduct of their leaders more conspicuous. The acquisition of this place united in itself all the advantages which can be acquired in war. It was a mili-

¹¹ *London Advertiser*, October 1, 1762.

¹² *Ibid.*

^{12a} *Ibid.* See also *Boston News Letter*, December 16, 1762.

¹³ Hansard, *The Parliamentary History of England*, XV. 1236.

¹⁴ *Ibid.*, p. 1239.

tary, advantage of the highest class; it was equal to the greatest naval victory, by its effects upon the enemy's marine; and in the plunder it equalled the produce of a national subsidy.¹⁵

After this outburst of enthusiasm, fearful of a let down in the prosecution of the war, the editor warned his readers that Great Britain should be as prudent in the enjoyment of its victory as it was brave in gaining it—not to be so elated over its good fortune as to “indulge in the luxurious lap of indolence”. It would be much safer, he advised, to prosecute the war “in the same able and vigorous manner” in which it had been begun in order “to compel her enemies to sue for that peace they had, when offered, haughtily refused”.¹⁶

In the midst of all these rejoicings, a discordant note was most conspicuous. The king and his favorite, the earl of Bute, were strangely silent, not favorably impressed with the celebrations of the people. George III., according to one contemporary account

took no part in the transports of the nation; and, when he declined availing himself of any merit from the conquest, it was plain he was grieved either to have more to restore at the peace, or less reason for making that peace but on the most advantageous terms; but he was infatuated, and, breaking through all the barriers of glory, he sent the Duke of Bedford to Paris to settle the preliminaries.¹⁷

¹⁵ *Annual Register*, 1762, p. 43. Another account (Thomas Mante, *The History of the Late War in North America, and the Islands of the West Indies*, London, 1772, p. 460) is as follows: “Thus did this conquest prove the heaviest blow, in itself, and in its consequences the most decisive, of any that had been given since the commencement of the present hostilities between so many great powers. In the acquisition of Havana were combined all the advantages that could be procured in war. It was a military victory of the first magnitude; it was equal to the greatest naval victory by its effects on the marine of the Spaniards, who lost on that occasion a whole fleet”. Mante was an assistant engineer during the siege of Havana.

¹⁶ *Ibid.*

¹⁷ Horace Walpole, *Memoirs of the Reign of George the Third*, I. 151.

The merchants of London were indignant at the king's obstinacy and hissed the duke as he passed through the principal streets, while treasonable papers were dispersed in the surrounding villages.¹⁸ In his address from the throne, before both houses of parliament, the king dwelt very briefly upon Havana; only announcing its capture with considerable treasure and a part of the navy of Spain.¹⁹

In the nation's ecstasy over the conquest most exaggerated assertions were made. One citizen described the capture as "the greatest made by British arms, in this or any former age".²⁰ Admiral Rodney was no less impressed. He wrote Pocock that he looked upon the victory

as the most glorious stroke that was ever struck by the British arms, and it must be fatal to the Spanish Minister, whose absurdity and Italian Politics had brought so severe a misfortune to the Spanish nation.²¹

Pocock had no false impressions as to the importance of his victory. He felt the blow to Spain would leave all of its settlements in the New World "exposed to any attempts that may be tho't proper to be made on them".²² His royal highness, the duke of Cumberland, was most exultant of all. He congratulated the victor saying:

Upon the whole no joy can equal mine, and I strut and plume myself as if it was I that had taken the Havanah. In short you have done your King and Country the most material service that any military man has ever done since we were a nation. . . . Militarily speaking, I take your siege to have been the most difficult that has been since the invention of artillery. Sixty-eight days in that climate is

¹⁸ *Ibid.* The French, on the other hand received the Duke as "their guardian angel".

¹⁹ *Annual Register*, 1762, p. 180.

²⁰ *London Chronicle*, October 2, 1762.

²¹ Rodney to Pocock, October 20, 1762 in Pocock MSS.

²² Pocock to Cleveland, August 19, 1762; *Gentleman's Magazine*, September, 1762.

alone prodigious; without any partiality to you, 'tis a great action in itself, setting aside the immense service you have done your country.²³

Others were less verbose and possibly more sincere. The "great commoner" in sending the distinguished conqueror his felicitations wrote:

I cannot refuse myself the satisfaction of expressing by a line the sincere joy I feel upon your safe and long wisht return to your Country, which owes you so much of its glory, from East to West.²⁴

Most of the people heartily approved of the sentiment of Joseph Yorke who congratulated Sir George upon his return to his native land as "having so signally contributed to its security and glory".²⁵ They realized that Havana, "the Paris of the Caribbean", was the "most considerable place in the West Indies", and "the key to the riches of Mexico".²⁶ The victory followed by a partial reduction of the island was the "richest of England's conquests". It had deprived Spain of its most important colony, a great center of trade, and a port which commanded the route of its treasure ships.²⁷

Official England expected the victory to have an advantageous effect upon the future treaty. Surely Spain would be rendered more tractable by such a blow, but would the English public be as willing to make peace, after having so deeply tasted of the fruits of victory? Many feared not.²⁸ Naturally, Spain would look unfavorably on the cession of one of its most lucrative colonies, but might it not be forced to give much in exchange for such an important conquest?

²³ Cumberland to Albemarle, October 2, 1762; Rockingham, *Memoirs*, I. 125.

²⁴ William Pitt to Pocock, January 26, 1763, in Pocock MSS.

²⁵ Yorke to Pocock, February 11, 1763, in *ibid.*

²⁶ Mante, *op. cit.*, p. 398.

²⁷ William Hunt, *The Political History of England*, pp. 37-38.

²⁸ Viscount Royston to Dr. Birch, September 30, 1762; Rockingham, *Memoirs*, I. 124.

Englishmen, though, did not want the "old cry of take and hold" to revive.²⁹ At any rate, the trump card was held by Britain, and this would "infallibly give a new face to the negotiations" for peace.³⁰

The prime minister seemed all out of tune with the spirit of the day, and was not disposed to press the advantage which was his. He confided to the duke of Bedford that

the taking of Havannah has turned the heads of the wisest men and those most inclined to peace: men that your Grace is well acquainted with, and whose voice you have heard in the Cabinet loudest for almost any peace, now think the French terms ought to be screwed up higher, the most moderate state compensations for the Havannah as indispensable; and indeed I believe Lord Egremont will inform you that this is not the opinion of the English alone.³¹

Somewhat later, after a prolonged session of the cabinet, he again wrote Bedford:

I never was present at a more unanimous cabinet than the one held on Friday; nor must this surprise your Grace, for such is the change made here by the conquest of Havannah, that I solemnly declare, I don't meet with one man, let his attachment be never so strong to the service of the King, his wishes for peace never so great, that does not positively affirm this rich acquisition must not be ceded without satisfaction in the fishery, and some material compensation.³²

In spite of strong opposition Bute and the king, determined upon peace, had their way when the treaty was signed,³³ though the former was not unfamiliar with the great value of the conquest.³⁴ There was a general impression that the

²⁹ *Ibid.*

³⁰ Lord Russell, *The Correspondence of John, Fourth Duke of Bedford*, III. 131.

³¹ Bute to Bedford, October 14, 1762, in *ibid.*, p. 136.

³² Bute to Bedford, October 24, 1762, in *ibid.*, p. 137.

³³ Walpole, *Memoirs of George the Third*, I. 151.

³⁴ "With regards to the Spaniards, we have used the greatest moderation. Our demands are trivial compared with the important conquests we give up". Bute to Bedford, October 24, 1762; *Bedford Correspondence*, III. 137.

discrepancy between the concessions made by Great Britain and the terms she could have dictated, looked as if she has been betrayed.³⁵

When the fall of Havana was known throughout the British Isles, the king was inundated with memorials from borough councils, county councils, university faculties, and other bodies.³⁶ Such memorials constitute an excellent barometer of the public reaction to the victory. An examination reveals three general themes which seemed uppermost in the minds of the populace.

First: Peace is the dominant note, for the masses were wearied to the point of exhaustion by the long struggle. All were hopeful that "so great a conquest" would be productive of a "safe, honorable, and lasting peace". A speedy return to "normalcy" certainly was most desirable and Havana should be used to bring this about.

Second: Another note, natural in the Englishmen, is found in the memorials from the port cities. The commercial class was sensibly aroused to the trading advantages the future possession would bring. Havana, to them was the "chief city of the Great and rich Island of Cuba", yea, the very "Key to Spanish America" with all its treasures. Was this not the land the "Sea Dogs" had coveted? The plunder taken by the conqueror, equal to the produce of a national subsidy,³⁷ whetted their appetites the more. This was only a fraction of the wealth to come, so they looked forward with avidity to the future, if England retained "the pearl of the Antilles."³⁸

³⁵ *Cambridge Modern History*, VI. 431.

³⁶ These memorials are published in the *London Gazette*, October and November, 1762.

³⁷ *Annual Register*, 1762, p. 43.

³⁸ In 1763, when it was known that Havana was to be returned, the merchants were greatly aroused. In Liverpool alone, 145 sent a vigorous protest (Almon, *Review of Lord Bute's Administration*, p. 88). When the articles of peace were known and published there was "instantly spread such an alarm throughout the kingdom that the people rose up like one man, detestation and abhorrence of such conditions. . . . The trading port of the kingdom was most sensibly af-

Lastly, there is the religious note recurring again and again. Many were able to discern the hand of God in the defeat of Spain. The borough of Newport interpreted the acquisition with "prophetic joy" as an "Earnest of the Favor of Heaven". Divine providence had bestowed this "particular favor" because of the "Justice of the Cause", thought Northampton; while across the Irish Sea, the city of Dublin was pleased to see the "Almighty bless the English Arms" with "a conquest attended with every glorious circumstance that could give it lustre".

Thus visibly moved were all the people, each in his own way, while across the Atlantic thousands of Britons were equally agitated.

The effect in America, was indeed more profound.³⁹ Its heart was exalted! Every man was proud of belonging to a nation which had won such a great victory. There was no questioning its loyalty, for it reached a point that almost resembled fanaticism.⁴⁰ It was said the colonists were

as loyal to their prince and as proud of their country as the people of Kent or Yorkshire.

In Boston, the puritans held a solemn celebration.⁴¹ The governor and assembly attended divine service at the Old Brick Meeting House and listened to a sermon by the Reverend Doctor Sewall, who took as his text:

Thine, O Lord, is the Greatness and the Power and Glory and the Victory, and the Majesty: For all that is in the Heaven and in the fected" (*ibid.*). Almon was most pessimistic of the future because of the surrender of Havana. "Every honest man must shudder", he wrote, "When he seriously reflects on our present condition, and the melancholy prospect there is in our future" (*ibid.*, p. 99).

³⁹ The news arrived in New York early in September, and in Boston on September 7. There were a considerable number of troops from the northern colonies in the expedition, notably from Connecticut and Rhode Island.

⁴⁰ C. C. Hazewell, *Conquest of Cuba* (in *Atlantic Monthly*), October, 1863.

⁴¹ *Boston Gazette*, September 20, 1762. The celebration was held on September 16.

Earth is thine; thine is the Kingdom, O Lord, and thou art exalted as Head above all.⁴²

At noon the cannon at Castle William and the batteries of Boston and Charlestown were discharged. In the afternoon the bells were rung while

His Excellency (Governor Bernard) with the two Houses was escorted by his company of cadets to Concert Hall, where a fine piece of music was performed, to the satisfaction of a very large assembly, and in the evening there were beautiful illuminations and a great variety of fire works in many parts of the town.⁴³

The true sense of the Bostonians was well expressed by the governor, who conforming to the assembly's request, proclaimed Thursday, October 7, as a day for public thanksgiving, to be observed with religious worship, no servile labor to be permitted. This reads in part:

Above all, with hearts full of gratitude and amazement we must contemplate the glorious and important conquest of the Havannah; which, considering the strength of the place, the resolution of the defendants, and the unhealthiness of the climate seems to have the visible hand of God in it, and to be designed by His Providence to punish the Pride and Injustice of that Prince, who had so unnecessarily made himself a Party in this war.⁴⁴

Connecticut celebrated in true New England fashion. In New London all the gentlemen of the town met together and after a parade a royal salute was fired.⁴⁵ At noon the group was "elegantly" entertained while the afternoon was spent in the firing of guns and the drinking of loyal healths. The news report of the event says:

⁴² I Chronicles XXIX, ii. See *Boston Evening Post*, September 20, 1762.

⁴³ *Ibid.*

⁴⁴ *Boston News Letter*, September 23, 1762.

⁴⁵ *Ibid.*, September 16, 1762.

The evening following past in innocent mirth, the town being beautifully illuminated and bonfires erected on several eminences, which gave things a lively and pleasant aspect. The whole was conducted with decency, harmony and good order.⁴⁶

At Hartford the militia companies gave a royal salute followed by the "unanimous Huzzas of the rejoicing multitude". The celebration concluded with flowing bowls, the generous glass, loyal healths, and other forms of rejoicing.⁴⁷

New York received the news earlier than Boston, and Governor Moncton gave an elegant dinner at the City Arms, where General Amherst, the governor's council, the mayor, the aldermen, the members of the city council, the officers of the army and all the "principal gentlemen of the Place" were his guests. A royal salute of twenty-one guns was fired from Fort George, and at night the city was beautifully illuminated. Governor Moncton sent his congratulations to Pocock,⁴⁸ while General Amherst, whose headquarters were at New York, wrote the victorious leader most enthusiastically over the importance of the conquest.⁴⁹ In November, when the New York assembly met, the governor addressing it, said:

The military operations since your recess are also a source of public joy and exultation. Havannah the key to the settlements and treasures of Spain, fortified by all the advantages of art, and defended with vigor and obstinacy; is gloriously subjected to his Majesty's dominion, and by the capture of all the ships in that port, the marine of our enemy most essentially debilitated.⁵⁰

The fall of Havana freed the people of the south from the ravages of the privateer. Governor Boone of South Carolina

⁴⁶ *Boston News Letter*, September 30, 1762. Many other New England towns celebrated in like manner.

⁴⁷ *Ibid.*, September 16, 1762. New York celebrated on September 9.

⁴⁸ Moncton to Pocock, September 7, 1762, in Pocock MSS.

⁴⁹ Amherst to Pocock, September 6, 1762, in Pocock MSS. Amherst informed the colonial governors of the victory.

⁵⁰ State of New York, *Messages from the Governors*, I. 669.

had claimed their trade was ruined by the war and asked repeatedly for a ship of twenty guns or for a sloop.⁵¹ Upon the news of the capture he was loud in his praise.⁵² Albemarle was appreciative of South Carolina's predicament and wrote Governor Boone after the fall of Havana that he realized the Province of South Carolina would have no little satisfaction in the conquest, for it would no longer need to fear the Spaniards,

whom this conquest has deprived of every resource by which they might be enabled to annoy or disturb your government.⁵³

North Carolina and Georgia were likewise jubilant. The legislature of the former discerned "the hand of Providence" visibly exerted in their favor.⁵⁴ Governor Dobbs, in his address to the upper house, also interpreted the victory as a "Manifestation of Divine Providence in favor of the Protestant Apostolick Religion and the cause of Liberty" and with almost New England puritanism believed there should be "a due return of thanks and praise".⁵⁵ The Georgia legislature likewise was gratified by this instance of divine favor "shown to the British Nation".⁵⁶ The fall of such a fortress, hitherto deemed impregnable, was of the utmost importance to their peace, safety, and happiness and they were hopeful the success would be "productive of an honourable and lasting Peace".⁵⁷ Such luster, such glory and power, with a continuance of "almost unparalleled successes" they were sure, "must warm the Heart of every true Lover of his Country".⁵⁸

⁵¹ Boone to Pocock, July 7, 1762, in Pocock MSS.

⁵² *Ibid.*, September 9, 1762.

⁵³ Albemarle to Boone, December 30, 1762, in *Boston News Letter*.

⁵⁴ *North Carolina Colonial Records*, VI. 840.

⁵⁵ *Ibid.*, p. 838.

⁵⁶ *Colonial Records of Georgia*, XIII. 697.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

Jamaica, since the war began, had constantly been in fear of a Spanish attack⁵⁹ and Governor Lyttelton requested Pocock not to leave the island without taking

every prudent measure that would be necessary to secure this country while your principal force is employed elsewhere,⁶⁰

unless there was left a sufficient force it would most likely create "very uneasy apprehensions in the minds of the people".⁶¹ He was fearful of a combined Spanish and French attack or a slave rebellion. Martial law was proclaimed which was not removed until ships were sent by Pocock to protect the island.⁶² Upon the fall of Havana, Lyttelton assured the conqueror that he received the welcome news with the greatest pleasure, and felicitated him upon the glorious part he had "in the most important conquest".⁶³ The merchants of Jamaica were jubilant:

Permit us to embrace the first opportunity of congratulations to you upon the success of His Majesty's forces in the reduction of that most important place, the Havannah: An event which not only adds lustre to His Majesty's Arms but must reflect lasting honor on you and on the other officers who have conducted this glorious enterprise.⁶⁴

Such was the general reaction everywhere.

We have here reviewed the effect of the conquest of Havana upon the English world. We have seen that the Briton was greatly moved by so "noble a victory". To some, it meant great glory for the mother country; to others, commercial advantages; while others hoped it would bring the much

⁵⁹ Lyttelton to Pocock, Jamaica, September 16, 1762, in Pocock MSS.

⁶⁰ *Ibid.*, May 16, 1762.

⁶¹ *Ibid.*

⁶² *Ibid.*, May 4, 1762.

⁶³ *Ibid.*, September 16, 1762.

⁶⁴ Jamaica merchants to Pocock, September 17, 1762, in Pocock MSS. Other islanders were overjoyed over the conquest. We read that the people of Antigua celebrated the event in a "most joyous and Royal manner" (*Boston News Letter*, December 16, 1762).

desired peace. All were visibly moved and overjoyed—merchant, trader, laborer, colonial, governor, councilor, each in his own way. Only George III. and his favorite seemed out of tune, and their stubborn, though sincere efforts in the peace which followed, lost all the soldier and sailor had gained at Havana in the summer of 1762.

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THE ECCLESIASTICAL POLICY OF MAXIMILIAN OF MEXICO¹

The struggle between the church and state in Mexico during the brief reign of Maximilian was neither new nor unique; nor was it final in its result. It was merely the continuation of a contest which had begun centuries before New Spain had come into existence; and even before old Spain itself had emerged as a nation. The struggle in Mexico *was* and *is* merely a continuation of the contest between the spiritual and temporal powers begun when the papacy began to extend its sphere of control over the Iberian Peninsula. The struggle continued throughout the period of the formation of separate kingdoms in that peninsula and during the period in which a centralized monarchical government was evolved for Spain. The struggle resulted, strangely enough, in a victory for the crown with the spiritual subordinated to the temporal power. It is true that, in the formative period, the temporal power had unusually good opportunities to gather to itself great rights and privileges. The centuries of the struggle with the Moors for the reconquest of Spain enabled the temporal rulers to render conspicuous services not only to the state but to the church as well. The result was that these lay rulers easily secured rewards in keeping with their plans for a strong centralized temporal government. The lay forces were, happily for them, able also to develop a degree of ability in leadership which brought them the great victory for which they were striving. The achievements of the Catholic sovereigns were especially important for, loyal as they were to the Roman Catholic Church, they were even more loyal to the principle of kingship; and were able to induce the papal power to recognize

¹ This article is an enlargement of a paper read before the Latin American Section of the Twentieth Annual Meeting of the Mississippi Valley Historical Association at New Orleans, March-April, 1927.

them as supreme in their own kingdoms. They were able at the moment that they began to discover, conquer, and colonize in the new world to make the settlements therein their own particular possessions. It was only reasonable that in these possessions the crown of Spain should be supreme over spiritual matters as well as civil matters. The temporal forces were also very fortunate in the able leadership developed in the immediate successors to Ferdinand and Isabella. Charles I. (Charles V. of the Holy Roman Empire from 1519 to 1556) and Philip II. were not only called upon to play remarkable rôles as lay rulers but actually possessed the ability to perform well the duties devolving upon them. It was during the reign of the latter that the rights, powers, and privileges exercised in ecclesiastical matters in the Spanish colonies in the Americas were formulated. The celebrated royal decree of June 1, 1574, issued by Philip II., enumerated these rights, powers, and privileges in great detail. "As you know", the king declared to the viceroy of New Spain to whom he directed this decree,

the right of the ecclesiastical patronage belongs to us throughout the realm of the Indias—both because of having discovered and acquired that new world and erected there and endowed the churches and monasteries at our own cost, or at the cost of our ancestors, the Catholic Sovereigns; and because it was conceded to us by the bulls of the most holy pontiffs, conceded of their own accord. For its conservation, and that of the right that we have of it, we order and command that the said right of patronage be always preserved for us and our royal crown, singly and *in solidum*, throughout all the realm of the Indias, without any derogation therefrom, either in whole or in part; and that we shall not concede the right of patronage by any favor or reward that we or the kings our successors may confer.

Further, no person or persons, or ecclesiastical or secular communities, or church or monastery, shall be able to exercise the right of patronage by custom, privilege, or any other title, unless it be the person who shall exercise it in our name, and with our authority and power; and no person, whether secular or ecclesiastical, and no order,

convent, or religious community, of whatever state, condition, rank, and preëminence he or they may be, shall for any occasion and cause whatever, judicially or extra-judicially, dare to meddle in any matter touching my royal patronage, to injure us in it—to appoint to any church, benefice, or ecclesiastical office, or to be accepted if he shall be appointed—in all the realm of the Indias, without our presentation, of that of the person to whom we commit it by law or by letters-patent. He who shall do the contrary, if he be a secular person, shall incur the loss of the concessions that shall have been made to him by us in all the realm of the Indias, shall be unable to hold and obtain others, and shall be exiled perpetually from all our kingdoms and seigniories; and if he shall be an ecclesiastical person, he shall be considered as a foreigner, exiled from all our kingdoms, and shall not be able to hold or obtain any benefice or ecclesiastical office, and shall incur the other penalties established against such by the laws of these my kingdoms. And our viceroys, audiencias, and royal justices shall proceed with all severity against those who shall infringe or violate our right of patronage; and they shall proceed officially, either at the petition of our friends, or at that of any party who demands it; and in the execution of it great diligence shall be exercised.

We declare and order that no cathedral, church, parish church, monastery, hospital, votive church, or any other pious or religious establishment be erected, founded, or constructed without our express consent for it, or that of the person who shall exercise our authority; and further that no archbishopric, bishopric, dignidad, canonry, *ración*, *media-ración*, rectorial or simple benefice, be constituted, or appointment be made, without our consent or presentation, or that of the person who shall exercise our authority; and such presentation or consent shall be in writing, in the ordinary manner.²

The document continues to enumerate in great detail the other rights, privileges, and powers possessed by the king in the matter of the royal patronage. It is needless to point out that these several prerogatives which the crown of Spain assumed in this matter were guarded with jealous care and that

² The document is given in full in Blair and Robertson, *The Philippine Islands*, XXI. 19-31; and in Clevén, N. Andrew N., *Readings in Hispanic American History*, pp. 250-258.

any infringement of them was severely dealt with. It is equally useless to attempt to show that the ecclesiastical forces were satisfied with or desired to perpetuate this system of control over the ecclesiastical patronage of the Indies by the crown. In New Spain, this control was extremely irksome and opportunities were eagerly sought by which or through which they might be thrown off. The opportunity came during the period of the war of emancipation. It was during the age of Agustín de Iturbide that the ecclesiastical forces were able to bring freedom from this temporal control. The age of Iturbide, with its tinsel imperial trappings, was the golden age of the Mexican episcopacy, for during that period it broke its chains of vassalage to the temporal power. The Plan of Iguala of February 24, 1821, gave the ecclesiastical power a privileged position in the state. Article 1 of that document declared that: "The religion of New Spain is, and shall be, the Roman Catholic Apostolical, without tolerating any other". Article 14 declared: "The clergy, secular and regular, shall preserve all its privileges and preëminences". And Article 16, which defined the position of the army of the three guarantees, expressly declared that this army shall have as one of its objectives

The preservation of the Catholic Religion, coöperating, with all its efforts, that there may not be a mixture of any other sect; and attacking all the enemies who may injure it.³

It was indeed *a new age* for Roman Catholicism in Mexico. Never had the Roman Catholic Church occupied a more favorable position than during this brief period. A theocracy in which the temporal power should be completely subordinated to the spiritual seemed a reality. With a model theocracy in Mexico, the Roman Catholic Church might conceivably begin the process of reviving its temporal power not only in the Americas but throughout the world.

³ The Plan of Iguala is found in Clevel, *Readings in Hispanic American History*, pp. 507-509.

The beginning, so auspicious for the cause of Roman Catholic ecclesiasticism in Mexico, was weighted with the elements of its defeat. The ecclesiastical forces failed in that period, as they had done before and since, to judge wisely the spirit of the age and to develop a type of leadership adequate to cope with the situation. The temporal forces began immediately after the independence from Spain was achieved to secure its independence from ecclesiastical control. By 1860 the temporal forces had won, having separated church and state, shorn the clericals of their ancient rights and privileges and of most of their ecclesiastical property, and even depriving them of many of the most important privileges of Mexican citizenship. The victory was achieved primarily through the *Ley Juárez*,^{3a} the *Ley Lerdo*,⁴ the *Ley Iglesias*,⁵ and the Constitution of 1857.⁶ The clericals had failed because they had

^{3a} The law was issued on November 23, 1855, and ordered all special courts to be suppressed. The military and ecclesiastical establishments were denied cognizance of any civil suits whatsoever.

⁴ This law was passed on June 25, 1856, and prohibited any ecclesiastical corporation from holding real property not used for worship.

⁵ This body of laws was enacted in 1857 and took the control of the cemeteries, baptism, marriage, etc., out of the hands of the church.

⁶ The fundamental law forbade the Mexican congress from enacting any laws establishing or disestablishing any religious institution. It was not until 1874, however, that the following amendments were accepted.

Article 1. The state and the church are mutually independent. Congress cannot pass any laws establishing or prohibiting any religion.

Article 2. Marriage is a civil contract. This and other acts of the civil life of the individuals are under the exclusive supervision of the civil officials and authorities, in the manner provided by the laws, and will have the force and validity which said laws confer upon them.

Article 3. No religious institutions can acquire real estate or capital, secured by mortgage thereupon, with the single exception provided in the twenty-seventh article of this constitution.

Article 4. The simple promise to speak the truth and comply with the obligations, which are undertaken, shall take the place of the religious oath, with its effects and penalties.

Article 5. No one can be compelled to give personal service without just compensation and without his full consent. The state cannot permit any contract, compact, or agreement to be executed which may have for its object the diminution, loss, or irrevocable sacrifice of personal liberty, whether by reason of labor,

neither the foresight nor the wisdom to see that a return to the old order was utterly impossible. They were then as they have been before and since utterly out of tune with the spirit of the age. It may, therefore, be said with Bancroft that the clericals of Mexico have usually been, by the very nature of their course, opposed to whatever government has dared oppose them; that they have been hostile to religious toleration, to freedom of thought, and to the free expression of the press; that they have strenuously objected to equality before the law; that they have made war against civil marriages and registrations; that they have opposed foreign colonization; that they have persistently and consistently opposed all education not wholly under ecclesiastical control; that they have demanded every aid and support from the laws and from the government but have as consistently disallowed all subjection or responsibility to them; that they cannot be said to have exerted the necessary effort to reduce ignorance and superstition among the peoples of Mexico; and that they have rarely failed when in possession of pecuniary resources to use them to further their own temporal as well as spiritual aims.⁷

The approval of the Mexican congress by President Juárez's decree suspending payment of the interest on the external national debt for two years, on July 17, 1861, coupled with the opening of hostilities between the north and the south in the United States of North American, created a situation of paramount importance to the clericals of Mexico. A group of them under the leadership of Gutiérrez de Estrada, Velásquez de León, and others, assisted by many of the conservatives, judged the occasion opportune for definitely launching the movement for the establishment of a monarchy. A canvass was

education, or religious vow. The law, therefore, does not recognize monastic orders, nor can it permit their establishment, under whatever name or object they may claim to be formed. Neither can it allow any compact by which an individual agrees to his own proscription or banishment.

Consult *Foreign Relations of the United States*, 1874, p. 714.

⁷ H. H. Bancroft, *The History of Mexico*, VI. 583, notes 6 and 7.

accordingly begun of the courts of Europe for a suitable prince for the throne which was to be established. We need not here concern ourselves with the canvass outside of France, Austria, and the vatican. Nor will there be need for our purpose to take up the canvass made in these three countries. Suffice to say that Napoleon III., emperor of the French, saw in the movement another opportunity to satiate his imperialistic ambitions. He became, accordingly, the main prop of the plan. It will not be necessary to detail the events of the movement which resulted in the occupation of Mexico by French troops. It will be enough to remind oneself of the fact that with the invasion of Mexico by the French there was organized a provisional government preparatory to the establishment of the second empire. The selection of a suitable monarch was entrusted to Napoleon III. After somewhat protracted negotiations, he persuaded the Archduke Maximilian to accept the offer of the Mexican crown. Again the ill-advised clericals had made success utterly impossible; for neither Napoleon III. nor the prince whom he chose had any sympathy with the reactionary projects of the clerico-conservative party in Mexico. It will be necessary to bear in mind the fact that the clericals were defeated even before Maximilian arrived to assume his new position. Generals Forey and Saligny, as well as Marshal Bazaine, used the clericals in Mexico when it suited their purpose or the purpose of Napoleon III. to do so. Archbishop Pelagio Antonio de Labastida y Davilas and Bishop Juan Bautista de Ormaechno of Tulancingo were both made use of in the regency of the empire—the former being one of three regents, the latter one of two substitute regents. It did not take long, to dispose of them. General Juan Nepomuceno Almonte and General Mariano Salas, the two colleagues of Archbishop Labastida brought about a break with him through the issuance of the edict of December 15, 1863. This edict confirmed the laws of reform with which we have already dealt. The full significance of this act should be kept constantly in

mind for only then will the account be complete. Archbishop Labastida protested bitterly against the issuance of the edict, and since no heed was given to his protests he withdrew from the regency and became one of the most pronounced opponents of the French régime in Mexico. His example was very generally followed by the other clericals. The result was that the clericals again became a party of opposition. The sympathy of the clericals had thus been alienated even before the arrival of the new monarch. That the clericals were equally unsuccessful with Emperor Maximilian will become evident as the narrative proceeds.

The demand which Archduke Maximilian had laid down on October 3, 1863, in his reply to the delegation from Mexico, as a condition for accepting its offers of the crown, namely, that he should be elected by the people of Mexico, was met; and he formally accepted the offer of the crown in the palace of Miramar on April 10, 1864. Gutiérrez de Estrada, chief of the delegation, took occasion in the course of his address to the emperor-elect, to give voice to his pet ideas on religion and government. He declared:

These two principles, catholicism and monarchy, introduced into Mexico by the noble and knightly people who discovered it, eradicating the errors and dissipating the gloom of idolatry, to these principles which trained us for civilization, we shall owe this time also our safety; revived as they have been by our independence, and as they are now, by the smiling hopes bound up with the nascent empire. . . .⁸

On April 14, the emperor, accompanied by the empress and their suites, embarked at Miramar for the voyage to Mexico. A break in the journey was made at Civita Vecchio to allow of a visit to Rome. On the 19th, the imperial party was received in state at the vatican by Pope Pius IX. High mass was sung in the Sistine chapel attended by the imperial visitors. After the high mass, the pontiff delivered an allocution on the rights

⁸ *Diplomatic Correspondence of the United States*, 1865, III. 607.

and duties of sovereign monarchs. Before administering the sacrament of the holy communion to Maximilian the pope took occasion to say to him that while the rights and duties of the people were great and should be respected, those of religion and the church were infinitely greater. Sometime later, the emperor had occasion to remind Pope Pius that he proposed to follow the dictates of his own conscience as the sovereign ruler of Mexico. He also impressed upon the pope the fact that he had always performed his duties as a good Christian and felt confident that he would be able to continue to do so.⁹ The pope made a visit to the imperial party at Marescotti Palace on the following day, April 20, pronouncing the papal benediction and bestowing his blessing on the new monarchs, their peoples, and their empire. A bull was issued on April 28, giving the form of prayers to be said for the emperor and royal family in Mexican churches.¹⁰ The voyage was then resumed at Civita Vecchio and came to an end at Vera Cruz on May 28. The formal entry of the emperor and empress into Mexico City was made on June 12. With that event, the reign of Maximilian may be said to have begun.

The clericals in Mexico lost no time in calling the attention of the emperor and his supporters to their acts of omission as well as to their acts of commission. They complained of the absence of the cross from the imperial crown and of the absence of the phrase "by the grace of God" from official documents. The clericals were also bitterly opposed to the liberal policies of the emperor. Instead of choosing men from the clerical and conservative parties for important official positions, Maximilian chose liberals; and strove to put into practice the suggestions offered to him by Sir Charles Wyke, namely, that it was only among the group of moderate liberals that he could hope to find genuine supporters for the new mon-

⁹ Egan Caesar Conte Corti, *Maximilian und Charlotte von Mexiko*, II. 11. This paper was written before this work was translated and all the translations used throughout this paper were made by the present author.

¹⁰ Bancroft, *History of Mexico*, VI. 141.

archy. The clericals were opposed to the selection of the liberal, Francisco Ramírez, as minister of foreign affairs; and of several other important appointments made by Maximilian at the beginning of his reign. It was becoming apparent to them that a grievous mistake had been made in the choice of the Austrian archduke as their monarch. The one thing that aroused their ire and increased the violence of their opposition was the failure of the emperor to solve the ecclesiastical problem. Months went by and nothing was done, as far as they were able to learn of what was taking place. Maximilian had not failed, however, to appreciate the gravity of the ecclesiastical situation; and of the dangers of delay. He complained to the papal court for its failure to send a nuncio to Mexico as the pope had promised to do. On July 22, 1864, he ordered the minister of foreign affairs, Francisco Ramírez, to declare to Aguilar y Marocho, Mexican minister at the court of Rome, in a note of that date, that there was need of an immediate solution of the whole ecclesiastical question. He added that, unless a nuncio were sent without delay, he would proceed to the solution of this question without the assistance of the holy see. Cardinal Antonelli, papal secretary of state, gave the matter attention but no immediate appointment was made.¹¹ Aguilar was informed, however, in an interview with his holiness that Emperor Maximilian could count on the support of the court of Rome because of the paternal solicitude entertained by the holy father for the Mexican people.¹² This could hardly serve as an excuse for postponing a question of such gravity.

In the meantime, neither Maximilian nor Charlotte had failed to inform Napoleon III. and Eugénie of the state of affairs in Mexico. Maximilian declared in a note of July 26 to Napoleon:

¹¹ Eugene Lefevre, *Documentos Oficiales Recogidos en la Secretaria Privada de Maximiliano. Historia de la Intervención Francesa en Mejico*, II. 12-13.

¹² *Ibid.*, II. 13. Aguilar to Ramírez, Rome, August 27, 1864.

The Liberal party seems disposed to second me. As for the attitude of the clergy and its adherents, while warmly protesting boundless devotion, they are secretly marshalling their forces to oppose or moderate my progressive views. If the nuncio does not arrive I shall soon find myself compelled to undertake the examination of the serious questions relating to the church property without the coöperation of the court of Rome. Whatever may be the result, my confidence remains unshaken and I shall labor ceaselessly to carry out the work begun through the noble aspiration and glorious initiative of your majesty.¹³

The court of Napoleon III. was also fully aware of the seriousness of the ecclesiastical problem in the new empire. As early as May 15, Napoleon III. had declared, in a letter to Maximilian that the clergy in Mexico would give him a great deal of trouble for it seemed to him that the clergy was still animated by absolutist ideas and little inclined to agree to conciliatory measures.¹⁴ And Empress Eugénie wrote to the Empress Charlotte on July 30:

Msgr. Labastida seems to me to be far from accepting a compromise. It is truly unfortunate that landed property should play so large a part in the opinions of those who ought to be the most detached. I confess that I am much concerned about Msgr. Meglia. The atmosphere surrounding him will give him a false idea of things. Gutiérrez Estrada intends to leave for Rome and these fallacies will without doubt be communicated to the sacred college and from fallacy to fallacy experience and truth will disappear. I feel that I ought to tell your majesties all this so that you may be warned of them. I need hardly add that we will do our best to make the truth clear; but will they want it in Rome?¹⁵

And in a letter to Charlotte, written sometime in September, Eugénie declared:

¹³ Corti, *op. cit.*, II. 10 (Anhang).

¹⁴ *Ibid.*, II. 4 (Anhang).

¹⁵ *Ibid.*, II. 12 (Anhang).

Msgr¹⁶ has been appointed by the holy father as nuncio to Mexico. Unfortunately his uncompromising character has not made him many friends among the French clergy. I am of the opinion that his long stay in Paris has had but little effect upon his views, in a liberal sense. It may be, therefore, that since the work to be done in Mexico in the solution of a question which is already so complicated he will not give your majesties any trouble. . . . I need not tell your majesties how often our thoughts are of you. The great purpose for which you have consecrated yourselves will be entirely successful; and we appreciate fully all the difficulties with which you have to contend, for nothing is more difficult to accomplish than the moral regeneration of a whole people.¹⁷

The pope had in the interval appointed Monsignore Meglia, archbishop of Damascus *in partibus*, nuncio to the court of Mexico City. Maximilian awaited the arrival of the newly appointed papal nuncio with the keenest interest. He complained to Napoleon III. in a letter of November 11 of the policy of the vatican. He declared:

I expected, following the remarkable policy adopted by your majesty in the settlement of the Italian question, that the court of Rome would enter, as far as Mexico is concerned, upon a reasonable and conciliatory course of action. But if we are to believe the dispatch, a copy of which is enclosed with this letter, the claims of the Mexican clergy are less than the demands of the pontifical government. I shall accordingly be led to display in the solution of this important question a resolute firmness which moreover is demanded by my duties toward the people who have elected me and by the future of Mexico.¹⁸

The papal nuncio finally arrived at Vera Cruz on November 29 and in the national capital on December 7. He was received with all honors accorded to ambassadors at Maximilian's court. On account of the arrival of the papal nuncio and of the situation in Mexico toward the end of the year of

¹⁶ Monsignore Meglia, Archbishop of Damascus *in partibus*.

¹⁷ Corti, *op. cit.*, II. 18 (Anhang).

¹⁸ *Ibid.*, II. 18 (Anhang).

1864 is given by Charlotte in a letter to Eugénie of December 8. She wrote:

The nuncio arrived in Mexico last evening without any hostile manifestations of any kind. We had taken precautions to forestall any that might be attempted. Hence the beginning is satisfactory. He will be received by the emperor on Saturday. I am sending your majesty or rather your majesties from the emperor the project for a concordat so that you may be informed about it in advance. I find it perfect in form because it appears very inoffensive but is none the less very liberal. The only point I do not like about it is that which recognizes a state-religion, a subject which has been so much disputed for the last fifty years. The position of the government of this country differs from that of France at the time of the first consul. The latter proposed to liberate Catholicism knowing full well that France was essentially and traditionally Catholic enough to get along without a state-religion, that it was a question of essence and not of form. Here, on the contrary, I regret to say it, in spite of the accounts of the excellent M. Gutiérrez and his associates, the country is only indifferently Catholic. The pseudo-Catholicism formed by a mixture with the Indian religion has died out with church property, its chief prop. And since a nation had to have a religion many people turned toward protestantism as more convenient and especially as less expensive, for the sacraments cost enormously; also on account of a vision of an absorption by the Anglo-American race at no distant future. In this state of affairs the recognition of the Catholic religion as the state religion is merely to cause the Catholicism of the nineteenth century, with its intelligence, its charity, and its devotions, to make way for the decomposed of the sixteenth. The introduction of a new and purified form of Catholicism seems indispensable, from a political point of view, in order to conserve the Spanish race in America and which alone can save it from invasion by American sects. These conditions have reconciled me, I confess, to the use of the term "state-religion", for by adding to it, as a matter of first rate importance, a toleration of all religions will insure a liberty of conscience such as exists in France. The nationalization of church property will arouse immense enthusiasm and will fill the coffers of the state. This is as it should be for obtaining valuable unsold property and selling it a piece of superb business is transacted. I am sending to your majesty a copy of La

Orquesta, a satirical liberal newspaper, so that you may see that the proposed concordat really fulfills and even surpasses the program of the liberal party. The drawing is characteristic, the liberals in the form of bees are entering the hive of the emperor because they find there more honey than in the wild flowers of Juárez who is trying in vain to catch them in his net. I call your majesty's attention also to the decree which accompanies the other materials and which establishes the council of state and names its members. It is to meet today and will be opened by the Emperor. I hope that this great institution by which Napoleon I. regenerated France will also bear fruit in Mexico. A circular to the prefects is also enclosed. This document is remarkable for the signature it bears, that of M. Cortes Esparza, presiding judge of the supreme court under Juárez, today an ardent admirer of the emperor and the most radical of the liberals of the cabinet.¹⁹

The nuncio, Monsignore Meglia, presented, at his first audience with Maximilian, an autograph letter from the holy father. The letter bore the date of October 18, 1864. After expressing the satisfaction which the visit of the imperial party to the holy see on the voyage to Mexico had given him and after having expressed the hope that he had entertained of an immediate and acceptable solution of the ecclesiastical question of the new empire, the pope complained of the delay in attempting a solution and urged him to solve the whole problem in accordance with his wishes as expressed in this letter. The following excerpts from the letter will make the position of the pope clear. These paragraphs will suffice:

Your majesty will undoubtedly perceive that if the church continues to be controlled in the exercise of her sacred rights, if the laws which forbid her to acquire and possess property are not repealed, if churches and convents are still destroyed, if the price of church property is accepted at the hands of its unlawful purchasers, if the sacred buildings are appropriated to other uses, if the religious orders are not allowed to resume their distinctive garments and to live in community, if the nuns are obliged to beg for their food and forced to occupy miserable and insufficient edifices, if the newspapers are per-

¹⁹ Corti, *op. cit.*, II. 21-23 (Anhang).

mitted to insult the pastors with impunity, and to assail the doctrines of the Catholic church—if this state of things is to continue, then the same evils will certainly continue to follow, and perhaps the scandal to the faithful and the wrongs to religion will become greater than ever before.

Ah, sire, in the name of that faith and piety which are the ornaments of your august family; in the name of the church, whose supreme chief and pastor God has constituted us in spite of our unworthiness; in the name of Almighty God who has chosen you to rule over so Catholic a nation with the sole purpose of healing her ills and of restoring the honor of His holy religion, we earnestly conjure you to put your hands to the work, and laying aside every human consideration, and guided solely by an enlightened wisdom and your Christian feelings, dry up the tears of so interesting a portion of the Catholic family, and by such worthy conduct merit the blessings of Jesus Christ, the prince of pastors.

We have instructed him²⁰ to ask at once from your Majesty, and in our name, the revocation of the unjust laws which for so long a time have oppressed the church, and to prepare, with the aid of the bishops, and when it may be necessary, with the concurrence of our apostolic authority, the complete and definite reorganization of ecclesiastical affairs.

Your majesty is well aware that, in order effectively to repair the evils occasioned by the revolution, and to bring back as soon as possible happy days for the church, the Catholic religion must, above all things, continue to be the glory and the mainstay of the Mexican nation, to the exclusion of every other dissenting worship; that the bishops must be perfectly free in the exercise of their pastoral ministry; that the religious orders should be reëstablished or reorganized conformably with the instructions and the powers which we have given; that the patrimony of the church and the rights which attach to it may be maintained and protected; that no person may obtain the faculty of teaching and publishing false and subversive tenets; that instruction, whether public or private, should be directed and watched over by the ecclesiastical authority; and that, in short, the chains may be broken which up to the present time have held the church in a state of dependence and subject to the arbitrary rule of the civil government. If

²⁰ That is, the papal nuncio, Monsignore Meglia.

the religious edifice should be reëstablished on such bases—and we will not doubt that such will be the case—your majesty will satisfy one of the greatest requirements and one of the most lively aspirations of a people so religious as that of Mexico; your majesty will calm our anxieties and those of the illustrious episcopacy of that country; you will open the way to the education of a learned and zealous clergy, as well as to the moral reform of your subjects; and, besides, you will give a striking example to the other governments in the republics of America in which similar very lamentable vicissitudes have tried the church; and lastly, you will labor effectually to consolidate your own throne, to the glory and prosperity of your imperial family.²¹

The tenor of this letter and the refusal of the nuncio to negotiate with Maximilian until he had received further instructions from the pope greatly displeased the emperor. The delay and more especially the uncompromising attitude of the clerical party constituted a dangerous challenge to the whole imperial régime. Maximilian, accordingly, proposed to the nuncio the following as the basis for a concordat between the Mexican government and the holy see: the establishment of religious toleration but with Roman Catholicism as the state-religion; the expenses of the state church to be paid from the imperial treasury, the clergy being supported like civil officers, and granting free ministration to the people; the cession by the church of all the revenue from the property which had been declared national during the republican rule to the imperial government; the concession to the emperor and to his successors of the enjoyments of the rights equivalent to those conceded by the Spanish American church to the kings of Spain; the arrangements of the conditions for restoring religious orders, for clerical jurisdiction, and for cemeteries; the keeping of a civil registry wherever deemed necessary, priests acting as the civil functionaries; liberation of parishioners from every fee, tithe, or other emoluments; designation of the religious orders to be reëstablished; the manner in which they

²¹ *Diplomatic Correspondence of the United States, 1865, III.* 588-590. Also in Clevel, *Readings in Hispanic American History*, pp. 550-553.

were to be supported by the pope in accord with the emperor; continuation of existing religious communities with their rights, but forbidding them to receive novices until conditions should have been settled; and the continuation of the use of the modified registry according to the decree of December 18, 1863, requiring Catholics to fulfil church obligations before submitting to the civil marriage rite.²² The nuncio received these propositions with astonishment, declaring that they were impossible and that the holy see could never accept them. In a letter to Señor Pedro Escudero, minister of justice, of December 25, in reply to the minister's note of the previous day, Meglia declared that the emperor's propositions were entirely new; that they had never been dealt with either by Aguilar, by the papal secretary of state, or by the pope; reiterated the statement that he possessed no powers to treat with the imperial government concerning these matters; and that he was in duty bound to implore him not to take a step so fatal as this to the welfare of the church and its laws.²³

Maximilian was, however, determined to proceed with his program of reform; and on December 27 issued his famous instructions to Escudero. The letter in full read:

My dear Minister Escudero: In order to smooth the difficulties which have arisen on account of the reform law, we proposed to adopt a means which, while satisfying the just requirements of the country, shall reestablish peace in the minds and tranquility in the consciences of all the inhabitants of the empire. For this purpose, when we were at Rome, we opened negotiations with the Holy Father, as universal chief of the Catholic Church.

The unnatural situation in which we have continued, with difficulty, during seven months, admits of no delay. It demands an immediate solution. We consequently charge you at once to propose suitable measures in order that justice may be administered without consideration of personal station; that legitimate interests created by these

²² Lefevre gives these propositions under nine heads and in a more inclusive form. Consult his work, II. 17-18.

²³ *Ibid.*, II. 21-22.

laws may rest secure; correcting the excesses and injustice committed in their name; to provide for the maintenance of public worship and protection of other sacred matters placed under the safeguard of religion; and finally, that the sacraments may be administered and other functions of the sacred ministry be exercised throughout the empire without cost or charge to the people.

To this end you will, before everything else, propose to us the revision of the operations of the mortmain and nationalization of ecclesiastical property, shaping it on the basis that legitimate transactions executed without fraud, and according to the laws which decreed such amortization shall be ratified.

Labor, in fine, according to the principles of free and ample toleration, keeping in view that the religion of the state is the Roman Catholic and apostolic.²⁴

Maximilian and Charlotte described in their correspondence with Napoleon III. and Eugénie, the hectic days between the arrival of the papal nuncio and the issuance of the above letter. Those parts of the letters which bear directly upon the situation are extremely interesting as well as illuminating. Maximilian wrote to Napoleon III. on December 27, as follows:

On my arrival in Mexico I hoped to find that the regency and the French administration, which at that time had full authority to act, had cleared up matters and had not failed to prepare the way for me to begin immediately the solution of the great question of reform and the regeneration of the country. I can only declare that everything remained to be done: a fact which M. Corta must have made known to you. The question of the church property was the subject of my first studies. I have always decided matters of state heretofore according to the liberal principles of the governments of Europe but since I had made the personal overtures to the holy father and obtained his promise to appoint a nuncio and since I had received notice of his arrival, I decided that it would not be proper to undertake the settlement of the questions pertaining to ecclesiastical affairs, either as a whole or singly, without the assistance of the nuncio. This prelate

²⁴ *Diplomatic Correspondence of the United States*, 1865, III. 590.

arrived in Mexico about two weeks ago and was immediately informed of my intentions: namely, that as soon as I shall receive official assurances that he does not possess power to treat with me concerning the important questions left unsolved on his account, I shall publish the decrees of nationalization and for the revision of the fraudulent sales already made of the property of the clergy. After that nothing will remain to be regulated with the court of Rome except the articles of the concordat.²⁵

Charlotte in her letter to Eugénie of the same date, December 27, gave a detailed account of the situation as she saw it:

We are in the midst of the greatest tribulations because of the nuncio and, in regard to this, I must admit that my political sense was quite wrong while Y. M. was in the right. I never would have believed the nuncio would cause the least trouble over a question in which the interests of religion are so closely bound up with the concordat which we wish to arrange. But he behaves as though he were mad. I made the marshal laugh last Sunday by irreverently declaring "that nothing remained for us to do but to throw the nuncio out of the window". The nuncio really behaves as though his brain were affected. He actually believes that the country, wholly imbued with a hatred of a theocracy, desires to have the property of the clergy restored to them. It is as if in broad daylight one were told it is night. Unfortunately, and I recognize that it is a humiliation for us Catholics of this century, the court of Rome is like that. Napoleon I. made statements concerning the ecclesiastical problems of his time that are strangely pertinent to the conditions here. Pius VII. was, moreover, a great pope because he solemnized the concordat of 1801. The emperor, in a very frank interview with the nuncio, explained the purpose of the concordat and believed from what the nuncio had said that there would be no difficulty about three or four of the points in it, and that the others could be referred to Rome. With this the nuncio did not agree. I do not want to criticize the attitude of the nuncio. Two days later, a trustworthy person was sent to him to whom he declared that he was without the necessary instructions to act, *ergo*, that he will do nothing. This came like a thunderbolt to the whole ministry, to the emperor, and to me. In the ministerial council it was

²⁵ Corti, *op. cit.*, II. 23-24 (Anhang).

decided that a letter should be published ratifying the laws of Juárez if the nuncio does not yield. This information was communicated by the emperor to the marshal who is delighted with it.

The next day, Christmas eve, I had the nuncio come to see me because the emperor refuses to see him on account of the obstinacy he has shown in the discussions over the proposition which he made to him. I talked with him for two hours. I must tell your majesty that nothing gave me a better idea of hell than this conversation, for hell is nothing but a dilemma without means of escape. To try to convince someone against that person's will is useless. It is like speaking Greek because he sees black and you white. It is a task fit only for a reprobate. All rolled over the nuncio as over polished marble. He finally finished by saying that it was the clergy who had made the empire. "Just a moment", I replied. "It was not the clergy but the emperor who created it for he created it on the day he arrived in Mexico". I tried in every imaginable way to convince him and in every manner possible: seriously, lively, gravely, and almost prophetically; for it seemed to me that the results would only bring on complications, perhaps even a break with St. Peter's, to the great detriment of religion. But nothing could move him. He shook off my arguments as one shakes off dust. He offered nothing in their place, and seemed to take delight in the emptiness which he was creating about him and in the negation of light. I then handed him the ultimatum of the emperor. Rising, I said to him: "Monsignore, whatever happens, I shall take the liberty of reminding you of this interview. We are not responsible for the consequences. We have done everything to prevent what is about to happen. If the church will not help us, we shall serve her in spite of herself". The emperor called a conference of the ministers of state and foreign affairs and justice the next day, to which he also invited the archbishop²⁶ and M. Lares;²⁷ and begged me also to attend. In an informal exposé, admirably clear, succinct, and vigorous, he explained the question from the beginning. He told us what he had said to the pope, what he had instructed his ministers to put in their despatches; that he had waited eight months out of deference to the holy see; and concluded by declaring that there was urgent need for an immediate solution of the whole ecclesiastical question. In order

²⁶ Antonio de Labastida.

²⁷ Minister president of the council of state.

to give the nuncio another chance the ultimatum was not to be handed to him until the first of January. M. Lares and the archbishop, trembling on perceiving that the law of Juárez was to be confirmed, promised to do everything in their power to dissuade the nuncio from his course, although the answers which he made to M. Lares were the same as those which he had made to me. The minister of justice promised to see him and in a final appeal to get him to change his course. The chiefs of the conservative party are for the concordat as the only safe plan left to them by the laws of reform. I have no news of the effort to urge the nuncio to change his mind; but it is evident that nothing will come of it. I suppose he will leave the country. The emperor declared to M. Lares and the archbishop that in allowing a concordat he was really making a concession contrary to the will of the nation itself; that he understands that the country must be Catholic; and that he will make it so. But Rome, having broken its word by sending a nuncio without instructions, has made it necessary for the government, in order that the dignity and the interest of the Mexican people be protected, irrevocably to declare its purpose to establish peace and order. He declared that the real source of the internal dissensions is the controversy over the property of the clergy.

The emperor was extremely eloquent, and I found that the persons present expressed themselves less well than he although they were lawyers, for they preferred evasions to radical solutions, especially M. Lares. His attitude, relatively speaking, nevertheless satisfied and surprised the emperor. It proves that the ideas of these gentlemen are becoming progressive up to a certain point, because six months ago they would have believed themselves damned for accepting what they today accept with a rather good grace.²⁸

The letter to Escudero of December 27 very naturally aroused a storm of protest from the clericals and the conservative party. Two days later, December 29, a group of prelates prepared a memorial protesting formally against the whole procedure. It was addressed to the emperor and signed by Peglagio Antonio, archbishop of Mexico; Clemente de Jesús, archbishop of Michoacán; José María, bishop of Oaxaca; Bernardo, bishop of Querétaro; and Ignacio Mateo, bishop of Zacatecas. The memorial began as follows:

²⁸ Corti, *op. cit.*, II. 26-27 (Anhang).

Sire : In fulfilment of the first and the most sacred incumbent upon the prelates of the church, whenever the latter comes in conflict with the state, we are now placed in the painful but unavoidable necessity of raising our voice to the throne of your majesty, and we are obliged to do so by the letter from your majesty to the minister of justice, which has been published in the Official Gazette, and in which it appears that your majesty has taken the resolution to decide by yourself the momentous questions which are pending between the church and the state with reference to the so-called laws of reform, and have instructed your minister to prepare the necessary measures in the premises without deeming it necessary to wait for the new instructions which the nuncio of his holiness is about to ask on account of not having those determined by the points proposed by the government of your majesty.

The memorialists proceeded to state that the church protested, as it has been protesting the acts of the civil government since 1833, all interference with the ecclesiastical matters. The church protested formally the decree of the regents Almonte and Salas in 1863, which declared the laws of reform still in force. "The Mexican church", they declared,

has never ceased to oppose right to might against all the laws and measures which attack its doctrine, its jurisdiction, and its canonical immunities.

They further declared that the church had done so in a dignified manner by

carefully restraining and guiding the canonical conduct of the ecclesiastical authorities

and by

teaching and admonishing the faithful with reference to the obligations incumbent upon them under such circumstances as Catholic Apostolic Romanic.

They declared that the church had ever been

faithful only to its mission of preserving pure and intact the doctrines of the faith, the rules of morality, and the authority of canonical discipline;

and that the church had “never taken any step, except in the nature of self-defence”, and then only “when these principles have been assailed”. The church, in doing so, they asserted,

has had in view no other end but the most worthy and holy purpose of saving intact the principles upon which the relations between the church and the state are based.

But that was not all. They declared that such a course had been followed in order to reëstablish

concord between the two powers, in order that, by means of this concord, the general peace of the nation should be preserved.

They proceeded to show that the church had never been influenced by the interests of party, by the character of institutions, or even by the political complexion of the government. “Your majesty likewise commends”, they continued,

through your knowledge of our national history, that the principal if not the only cause of the civil wars that have devastated our unhappy country is the endeavor of an odious minority to assail religion and the church by means of laws which do violence to conscience.

They added:

Your majesty knows, finally, that the arms which the Mexican episcopacy have enjoyed in its defense have only been the *non licet* of the gospel and that their earnest desire has constantly been that by means of an agreement between the national government and the holy apostolic see the unhappy necessity upon which their passive resistance is based should be made to disappear.

Then followed this statement:

It is impossible to exaggerate, sire, the pain and unhappiness of the Mexican church on account of its persistent warfare, which, in the name of liberty, of progress, and of civilization, has been made upon it by this at once old and new revolution, that after having desolated Europe has come to combat its enemy—that is to say, Catholicism—in this part of the New World.

The memorialists next proceeded to observe that the leaders of the church had reasons to hope for a better day for the church because the Mexican people possessed a thorough Catholic character; that his hope had been strengthened when the forces of intervention, after having triumphantly entered Mexico City, declared that

nothing was attempted against the independence, freedom, and rights of the nation, and that it would confine itself solely to the overthrow of the government of Don Benito Juárez, in order that Mexico should freely constitute itself;

and that to this hope great joy had been added by the information that Maximilian was to be “called upon to rule the destinies of Mexico”. They added:

The tidings that we all had of your devout Catholicism, the sentiments manifested by your majesty, both in your speeches and your writings, gave us great joy. All had felt that peace, the peace of conscience would be established especially since the papal nuncio had arrived—for there must be a concurrence of both the temporal and the spiritual sovereigns.

Imagine then their astonishment and mortification at the conduct of the emperor in the matter of the letter to Escudero. They denied in no uncertain terms the right of the emperor to proceed in the solution of the grave questions at issue without the concurrence of the holy see. They declared emphatically that

it is only the spiritual sovereign that can decide grave questions of moral import and tranquillize conscience

and that the state has not the power, by its decrees, to "tranquillize the consciences of the faithful". Emperor Maximilian was accordingly implored to suspend the declarations and orders contained in the letter to Escudero. They proceeded to point out that the Mexican episcopacy had issued a manifesto on August 10, 1859, against the so-called laws of reform; that it had addressed a protest to the regents, Almonte and Salas, on December 15, 1863; and that the orders of Maximilian to Escudero of December 27, 1864, completely abrogated all the privileges and powers of the church, ratified the laws of the sequestration of ecclesiastical property, confirmed the interests created by these laws, authorized the civil power legally to intervene in the conduct and maintenance of religious worship, put an end to the canonical means of subsistence, and sanctioned the free and ample tolerance of all religions. The only restriction on the last was that the Roman Catholic had been made the religion of the state. Then followed these paragraphs:

To no one do we yield, or will ever yield, sire, in our fidelity in compliance with our strict duty towards the temporal sovereign; but when, in order to obey him, it is necessary to fail in obedience to the law of God, or that of the church, and consequently to commit the sin of prevarication, passive resistance ought never to be considered as an act of obedience, because obedience is based upon the law of God, and ceases to be a duty when it is inconsistent with that law.

The article of our creed with reference to the Catholic church is a dogma of faith, and this dogma establishes a separate right in matters of doctrine, of morals, and of canonical government, a supreme authority that cannot be subordinated to any other on earth, and it proclaims, as an unimpeachable principle for all Catholics, and as a rule of conduct, that whatever may be the power, rank, and position of those who exercise supreme authority in the state, they have absolutely no power whatever over these matters; for it is only the visible head of the

church—that is, the pope—who can exercise this jurisdiction; it is only this authority that is competent to proclaim dogmas of faith, enlighten belief, to rule over morals, to decide doubtful questions, and to order all conflicts to cease by means of its sovereign declarations.

Your majesty will permit us, protesting above all our profound respect, to state that your sovereign resolutions, with reference to the letter addressed to the minister of justice, relates precisely to those very points of the struggle between the church and the state which would not be the subject of dispute did they not invade the spiritual power, as has been constantly demonstrated to the various governments by the the Mexican episcopacy; that they are in open opposition to the social basis of the Catholic church, and distinctly opposed to the provisions of the last general council; that they have been explicitly condemned by the apostolic see in pontifical allocutions; and that even the request and sending of an apostolic nuncio, for the definite settlement of these questions, proves that your majesty has been of this same understanding, since it is clear that, had your majesty not recognized the positive necessity for the concurrence of both powers in the settlement of these questions, your majesty would not have made so great an effort to obtain the sending of an apostolic nuncio.

The opposition to the provision for religious toleration, as proposed by Maximilian in his letter to Escudero, was of course most pronounced. The memorialists declared that this act was not even excusable for

Mexico is exclusively a Catholic country, and the opposition of the people to religious toleration has always been manifested in the most unequivocal manner.

Had they not declared their opposition to Article 15 of the constitution of 1857? And had they not been successful in this opposition? Equally emphatic was their opposition to the provision for the maintenance of the church and its clergy by the state. They declared that the Roman Catholic Church had never accepted, and could not now accept, such a plan. The faithful had always taken care of the welfare of the church by voluntary contributions for its support and they

could be depended upon to sustain the dignity of the Mexican church and the independence of its priesthood now and in the future.²⁹

Such was the protest of the leaders of the church against the proposed decree of the imperial government. Enough excerpts have been given to make this perfectly clear. The majority of the faithful was of course in sympathy with this protest and came openly to take issue with Maximilian and with the imperial régime in general. The unfortunate monarch had thereby alienated one of the most powerful props of his government. But Maximilian had himself no doubt about the next move. He had determined to regenerate Mexico along liberal lines and would proceed to do so even though the church should oppose him. For this reason he did not hesitate to take open issue with his clerical opponents. He entered the arena with zest displaying a keen knowledge and deep insight into the whole issue between conservatism and liberalism of his age. He did not hesitate to criticise the clergy of Mexico, declaring that they must be held responsible for many of the most serious ills of the country—for the large degree of gross ignorance and primitive superstition which still existed among the Mexican people. He had declared as early as as October 30, 1864, in a letter to Gutiérrez de Estrada, that:

there are three classes which are the worst thing I have found in the country so far: the judicial functionaries, the army officers, and the greater part of the clergy. None of them know their duties and they live for money only. The judges are corrupt, the army officers have no sense of honor, and the clergy are lacking in Christian character, charity and morality. . . . As regards the clergy, if they are to be improved, what is necessary is a good concordat and a nuncio with a good Christian heart and an iron will. Only thus will the clergy be reorganized, made Catholic (which they are not at present), and acquire good influence which they have hitherto not possessed. . . .

²⁹ *Diplomatic Correspondence of the United States*, 1865, III, 591-594.

³⁰ Corti, *op. cit.*, II, 438.

He censured the higher clergy especially for frittering away their time, energies, and resources at the national capital, playing with politics, and neglecting their pastoral duties. Their place, he declared, was with their people. His next step was to issue a degree forbidding the entry and circulation of all papal documents in the empire without his express permission. This decree was issued on January 7, 1865, and had a very far reaching effect. It controlled the whole matter at the very source. He also appointed a special mission to the court at Rome to take charge of the negotiations of a concordat between Mexico and the vatican. The commission was composed of Velásquez de León, chief of the commission, Joaquín Degollado, and Bishop Ramírez of Tamaulipas. The dispatch of this body to Rome had an excellent effect upon conditions in Mexico. It was very generally believed that the nuncio had acted very high-handedly; that the court of Rome was not accurately informed about conditions in the country; and that negotiations could be carried on with greater chances of success in Rome than in Mexico City.

The royal correspondents had not been idle. Many letters had been exchanged between the courts of Paris and Mexico City, as the appendix to the excellent two-volumed work by Count Corti has already demonstrated. Charlotte in a letter to Eugénie on January 9, 1865, wrote:

I shall not write at length today to your majesty for I cannot tell you much that is good. The situation is rather strained, thanks to the nuncio and the clergy, at least as much so as I think it ever is in this country. There is nothing disquieting about the future. It might even be better for the storm to break; but it would be a disagreeable quarter of an hour. We have had a week of this sort of thing and for my part I should prefer it to be over. The bishops write respectful petitions in due order, the nuncio unseemly notes, women make filial remonstrances. In a word, all passions are unchained. The liberals tear each other by the hair; the advanced liberals proclaim the victory of the idea of Juárez and gleefully gloat over the discomfiture of their adversaries; the conservatives think they are the temporal subjects of

the pope and are stupid enough—I beg pardon for the word—to believe that religion consists of the tithe and of the ability to possess. Behind all the proceedings of the nuncio, who is only a mannequin, looms in a rather transparent manner the face of Mngr Labastida, whose bad Italian I know well enough to recognize it in every line. Finally, they say that the era of pronunciamientos is not over and that it has even begun again. The emperor is calm and firm in the midst of all this and follows the straight path of duty; but it would seem judged by the rancor of the old parties, that the empire has not come to place itself between them. That casts a sad light on the men of this country for it is clear that it is not a question of religion among those who pretend to be champions. I would never have believed it possible for the fire to blaze again so quickly. It is true that it had been smoldering for a long time under the ashes. The task of subduing a corrupt clergy is a very ungrateful one and I should have preferred for my part that the preceding governments had been charged with it. There is no deceit which the evil spirit will not invent to counsel resistance and obstinacy. . . .³¹

Maximilian in a letter to Napoleon III. of January 10, declared:

The political difficulties and a certain irritation caused by the deplorable conduct of the nuncio will probably force me energetically to deal forcefully with some civil officers and perhaps even with your dignitaries of the church who, following their inveterate habits, seem to want to profit by the occasion to start a conspiracy. Your majesty will doubtless soon see General Marquéz whom I am temporarily sending away from the scene of action to remove him from the pernicious influence of the clergy to whom he has always been attached.³²

And on January 26, Charlotte wrote to Eugénie:

When Napoleon I. obtained the resignations of the refugee bishops from the pope they lived abroad and, like holy characters, resigned themselves to their lot. Those whom we have here would willingly leave their see and their crozier but not their revenue. A stipend

³¹ Corti, *op. cit.*, II. 30 (Anhang).

³² *Ibid.*, II. 31.

from the state would never bring them as much, as their ideal is to live off their money in Europe while we battle to establish the position of the church here. The property which has been sold will be examined, a second apple of discord, because by recognizing the laws of reform we will have the conservatives on our hands. Today we are saddled with the liberals who are purchasers and even some of the French residents, I believe. As there can be only one weight and one measure for all, those who engaged in various illicit operations are going to have to restore their gains. The work of reparation and justice, I fear, will arouse as much feeling as did the loss of the property of the clergy.³³

And on February 3, Charlotte wrote to Eugénie:

The poor holy father is playing a fine game with us in Europe with the encyclical letter. If I could allow myself any irreverence, I should say that if that came from any spirit, I do not think it came from the Holy Ghost. Our Lord gave peace to his apostles and did not approach them otherwise. Today it is trouble that people want to spread. Ah! if Bossuet were still living we would witness him and the eminent and Catholic clergy of France preserving Europe from a schism. Without the Gallican church, confusion would take possession of the consciences by wishing to conciliate that which cannot be conciliated. God did not make faith and reason to contradict each other, but to confirm each other. That, I think, is very consoling. Life here is almost as it was during the middle ages: gay, satisfied, calm, and there is no reason why one hour to another we should not have a band of guerillas on our backs. We have cannons here and a system of signals with the city, but that does not prevent us from being on the qui-vive. . . . One cannot deny that this country is somewhat "sui generis". Gutiérrez was right about that although he made sport of it, while we see nothing in it worthy of respect and shall attempt to make it otherwise. The masses are excessively stupid and illiberal and it is not "licenciados" that will rouse them to action. That explains the hold that the clergy have gained over them. They do not educate them and because of that fact they continue to hold them with impunity.³⁴

³³ *Ibid.*, II. 33.

³⁴ Corti, *op. cit.*, II. 38-40 (Anhang).

Again on the 24th of the same month Charlotte wrote to Eugénie:

I am glad today to be able to dip my pen in an ink that is less black, for since the departure for Rome of the delegation, the situation has again become what it has not been for two months. Springtime is beginning, and in the face of the happiness diffused over nature, it does not seem to me that there should be thoughts of division arise at this time.³⁵

Neither the papal nuncio nor the court of Rome made any definite move, by way of conciliatory measures, to prevent the emperor from carrying out his reform measures which he had announced in the famous letter to Escudero of December 27, 1864. And on February 26, 1865, Maximilian issued the decrees incorporating the propositions laid down in the letter to Escudero. The first of these decrees follows:

Article 1. The empire protects the Catholic Apostolic Roman Religion as the religion of the state.

Article 2. All forms of worship not contrary to morality, civilization, and good manners, shall have free and ample toleration in all the territory of the empire. No worship can be established without the previous consent of the government.

Article 3. As circumstances shall demand, the administration, by police regulations, will arrange everything that concerns the exercise of worship.

Article 4. Abuses which may have been committed by the authorities against the exercise of worship, and against the liberty which the laws guarantee to their ministers, shall be laid before the council of state.³⁶

The other decree dealt with the laws of reform as they affected ecclesiastical property. The council of state was charged with the revision of the operations of these laws.

³⁵ Corti, *op. cit.*, II. 40 (Anhang).

³⁶ *Diplomatic Correspondence of the United States*, 1865, III. 594. This decree was signed by Maximilian and countersigned by Pedro Escudero y Echanove, minister of justice.

Excesses and injustices which had been committed in the execution of the provisions of these laws were to be remedied. The revision was to be made in good faith and openly but always with due regard for the truth. The resolutions by the council of state in these matters were to be irrevocable and were to be executed without exemptions of any kind. Article 5 provided that: "Lawful operations, executed without fraud, and in consequence of the laws already cited, will be confirmed", while Article 6 provided that irregular operations committed with the approbation of the federal government might be ratified provided they were reduced to the terms prescribed by the same laws. Care was always to be exercised in order to prevent injury to a third party. Articles 16 and 17 created an office for the "administration of nationalized property" and prescribed its duties. These were the control of the administration of non-private property; procuring evidence necessary for the revisions of titles alleged to have been fraudulently obtained; providing executive measures which were deemed necessary for such revisions or whatever measures might be deemed necessary for that purpose by the council of state; taking charge of the funds of capital of nationalized property illegally acquired or redeemed, those which proceeded from the transfer of estates, and those collected as rents on the same. Articles 18 and 19 prohibited the exercise of the right of mortmain or nationalizations which did not show proof from whence they proceeded. Article 20 stated that no property could be held under the right of mortmain and that the property which had been returned to ecclesiastical corporations could not be retained without showing cause why it should be so held. Article 22 provided that the redemption of funds or capital should be made within two months from the date of the decree; and Article 23 that the negotiations pending in tribunals on account of the rights acquired by the laws of mortmain or the nationalization of property should be turned over to the council of the state and disposed of by it.

Article 24 declared that properties which could have been transferred by the said laws and had not been so transferred should be taken charge of by the council of state, the cost of the transfer should be placed at six per cent premium for eighteen years, if necessary. Articles 26-28, respectively, provided that:

Country property, in order to be transferred, shall be divided into parts, and the project of division which is formed in each case shall be presented to us for our approval.

In every case of transfer of country lands the preference shall be given to persons having no other landed property; and in no case shall more than two properties be transferred to a single person.

The transfer of agricultural lands shall only be made in favor of persons who have no other landed property.

Article 29 ordered that all persons in charge of recording offices or agencies should send within two months, a notice of all writings granted in their protocols from June 1, 1856, with reference to nationalized property and all notes in reference thereto. A fine of from \$500 to \$3,000 was to be levied against any one who failed to comply with these regulations. The last article provided that in case the provisions of the preceding article had not been complied with within two months from the date of the issuance of this decree the minister of justice should name the examiners for these protocols to determine whether the transactions had been carried out according to law.³⁷

Such were the two decrees of February 26, 1865, by which Emperor Maximilian hoped to bring about peace and order in his empire. The documents are of profound interest not only for the liberal character which they possessed but because of the fact that the ideas incorporated are those of the age of reform. Articles 28 and 29, for example, incorporate the ideas as to the ownership of land so pronounced during the period of the formation of the constitution of 1857. The land

³⁷ *Diplomatic Correspondence of the United States*, 1865, III. 594-596.

taken from the church was accordingly to form the basis by which it was hoped the non-landed propertied populace might possess itself, to a degree, of the necessary real property adequately to support it.

The reaction to these decrees was naturally pronounced. The bishops renewed their protests as did the conservatives. Even the liberals found reason to protest because of the radical procedure, on the one hand, and because the decrees did not incorporate, on the other hand, all the reforms which they desired. The pope in an encyclical letter of March 27, 1865, pronounced against the decrees and declared that it was necessary for the faithful to protest against the whole procedure; and to renew their efforts for the restoration of the rights and privileges of the Catholic Church in Mexico. Estrada, ever faithful to the traditions of Catholicism and to those of monarchy, strove strenuously to dissuade Maximilian from this fatal course of action. He urged him to rescind these decrees and to return to the program of the parties which had placed him on the Mexican throne. He appealed to Drouyn de Lhuys, Napoleon III.'s minister of foreign affairs, to take the necessary steps to induce Maximilian to rule Mexico in a "Catholic manner". But the emperor of Mexico stood his ground even against all this barrage of fierce attack. He did not fail to remind the conservatives and the clericals of the fact that they were distinctly in the minority in his empire, and that they did not understand the vital needs of the Mexican people, and that it was necessary, if the country were to be regenerated, to apply liberal principles to that process. Of peculiar interest is the correspondence between Maximilian and Gutiérrez de Estrada, during the remainder of the period of the empire. The latter wrote often at very great length, and thereby left a legacy to the student of history for which he deserves grateful thanks. Maximilian continued to take issue with him until the great crisis of January, 1867, constantly declaring to him that since he had been away from Mexico and

in exile for more than a generation he did not understand the real conditions in his native land; that a new class of leaders had come into power; that great strides had been made in Mexico toward enlightenment and democracy; and that it was necessary, above all else, to recognize and to permit freedom of all religions.³⁸ Illuminating, too, are the letters of Charlotte to Eugénie. On March 8, 1865, she wrote to her:

What you say about the nuncio interested me very much. It was exactly what we thought; he had cards up his sleeve and played them badly. He proudly supposed that we would give ourselves the trouble of waiting until his black period was over. Instead of that we took him at his word and all his calculations "han ido errados". Solomon said in his generation that "chickens always come home to roost."³⁹

And on April 14, she wrote that whatever might be the outcome of the issue between Rome and Mexico the conservative party, believed that it would not be the fault of the emperor but the fault of the pope if the religious question were not to be solved with the greatest tranquility of conscience. But she feared that no one fully realized the position in which the emperor had been placed; that in the event that the pope should refuse to negotiate the concordat, there would be disagreements for all the wounds had not yet been healed; that Juárez was still a factor in the government, in fact had just been reëlected, she declared, "in secula seculorum"; and that a union between the two forces might indeed prove a very dangerous combination. She concluded:

I have already told your majesty that the religious question is settled, even already forgotten here. It can be revived only through a determined effort of the pope to cause us trouble, in order to be able to bless his devout son Juárez on the presidential chair. This would

³⁸ Among these letters are those of Estrada to Maximilian of December 20, 1864; April 10, 1865; January 12, June 23, and July 21, 1866; and of Maximilian to Estrada of June 4, 1865, January 5 and 16, March 19, and October 4, 1866. Excerpts from these are given in Corti's *Maximilian und Charlotte von Mexiko*, II.

³⁹ Corti, *op. cit.*, II. 45 (Anhang).

most certainly not give him back the property which has been nationalized. Apropos of Rome, your majesty will be glad to learn that the nuncio is going to say a high mass for us tomorrow. It will be our first meeting since the Christmas holidays. On Maundy Thursday the archbishop came on foot from his palace, for the use of carriages is prohibited, to see the emperor and to thank him for his grand cross. I told him that on this anniversary of the empire, to which all had contributed, he would not be forgotten.⁴⁰

It was on the occasion of the celebration of the high mass in the imperial chapel that Maximilian declared to the nuncio that he was a good Catholic, really better than many of the other Catholic monarchs; that he did not desire any rights which Rome had not already conceded to other Catholic monarchs; and that if the papal curia as it appeared, would refuse to come to his aid he would continue with his plans with calmness and confidence since he, as the emperor, was, in such matters responsible only to God and to his own conscience.⁴¹ On another occasion Maximilian reminded his opponents of the good works which he had performed as a Catholic Christian. He had the imperial chapel in which services were regularly held every day by an imperial chaplain. He had dis-

⁴⁰ Corti, *op. cit.*, II. 52 (Anhang). Emperor Maximilian issued a decree, September 5, 1865, ordering these rural estates in the district of Córdoba to be taken possession of on the ground of public utility: *Haciendas* del Rosario, de San Antonio, de Ojo de Agua Grande, de Ojo de Agua Chico, de Santa Ana, de la Concepción Palmillas, de San Francisco de Toluquilla, de Guadalupe de la Punta, de Cacahuata de San José del Corral, and Venta Pasada, and *Ranchero* del Bueno Retiro. These estates were ordered appraised (Article 2) "in order that the interested parties shall receive the indemnity to which they may be entitled by the laws, as soon as it shall be made clear, by legal process, what is due the public treasury upon the said estates for the mortgages of the clergy, and who are the legitimate proprietors". Then by Article 3 the emperor ordered the lands thus seized disposed of in the following manner: "The same minister will appropriate the said estates to colonization, dividing them into small lots, and taking care to secure their value, in order to pay it over, as a part of the indemnity due for them, to those who may be entitled to it, when the investigations mentioned in the preceding article will have been made". *Diplomatic Correspondence, 1865*, III. 476.

⁴¹ Maximilian to Hidalgo, May 5, 1865, *ibid.*, II. 80.

tributed alms faithfully to the poor and the needy, and had observed the church rules concerning feast and holy days. There were many evidences to show that the emperor and his consort were pious and sincere Catholics. They introduced the practice of washing the feet of twelve poor women and twelve poor men and feasting them on Maundy Thursday, a practice brought with them from Vienna.

Maximilian continued his scheme for regenerating the Mexican people, and against the continued opposition of the conservative and clerical forces. On June 11, 1865, he issued the famous instructions to his minister Siliceo, for the thorough reorganization of the whole educational system of the Mexican empire. Elementary instruction was to be free, secular, public, and obligatory. Secondary education was to be of two kinds; that which would provide instruction for the middle classes and that which would provide a basis for further instruction, that is, instruction beyond what might be termed a high, or secondary, school education. In the latter class emphasis was to be laid on the humanities and on the natural sciences. The emperor was anxious to have the students in these higher courses make a very special study of philosophy as he believed that a study of this subject would be of peculiar value in preparation for life in an ordered society. Maximilian had, also, his own peculiar views concerning religious instruction. He held that religion is a matter of conscience and that the state should interfere as little as possible in spiritual matters. He reiterated the fact that religious toleration had been established in the empire and that it should be observed in full in all the schools. The instruction in religion was, however, to be given from textbooks selected by the imperial government.⁴² This scheme for the thorough

⁴² *Alocuciones Cartas Oficiales e Instrucciones del Emperador Maximiliano durante los Años 1864, 1865 y 1867*, pp. 110-112 (translated into German by Dr. S. Basch in *Erinnerungen aus Mexico*, I. 35-39. The following excerpts from these instructions are interesting:

reorganization of the educational system of Mexico was the most enlightened of all his schemes for the regeneration of his people. He may have aimed high, but he was most assuredly on the right track. Not the least noteworthy phase of this educational program was its universality. It was not to be a system for one class only, but for all, including even the Indians. Both Maximilian and Charlotte were sympathetically interested in the welfare of the native peoples. Charlotte wrote to Eugénie, April 27, 1865:

The future will be the Indian race mixed with the working race, that middle class which has always been wanting here and which alone can constitute a nation with which it would be willing to unite.⁴³

This interest on the part of Charlotte in the Indians was due, in part, to the interest which her father had in them. He fre-

"Como principal guía de sus propuestas, debiera vd. tener presente que la instrucción ha de ser accesible á todos, pública, y á lo menos, en cuanto se refiere á la instrucción primaria, gratuita y obligatoria. La instrucción secundaria debe ser organizada de manera que ofrezca por un lado á la clase media de los ciudadanos la educación general correspondiente; por el otro, que sirva de base necesaria para los estudios superiores y especiales, debiendose considerar para esto como uno de los mas esenciales, el estudio de las lenguas clásicas y vivas y el de las ciencias naturales. . . ."

"Quiero que la atención de vd. sea dirigida hacia el cultivo de una ciencia muy poco en nuestra patria: es decir, la filosofía, porque esta ejercita la inteligencia, enseña al hombre á conocerse a sí, y á reconocer el orden moral de la sociedad como una consecuencia emanada del estudio de si mismo.

"En lo referente á la instrucción religiosa, quiero tambien indicarle mis ideas. La religión es cosa de la conciencia de cada uno, y cuanto menos se mezcla el Estado en las cuestiones religiosas, tanto mas fiel queda á su misión. Hemos libertado á la Iglesia y á las conciencias, y quiero asegurarle á la primera el pleno goce de sus legítimos derechos, y al mismo tiempo la entera libertad en la educación y formación de sus sacerdotes, segun sus propias reglas y sin ninguna intervención del Estado; pero á ella le corresponden tambien necesariamente deberes á los cuales pertenece la enseñanza religiosa, en cuya enseñanza el clero del pais deploradamente no ha tomado casi ninguna parte hasta ahora. En consecuencia, se inspirará vd. en sus proyectos y propuestas, del principio que la instrucción religiosa en las escuelas primarias y secundarias debe darse por el respectivo párroco, según los libros aceptados por el Gobierno."

"Corti, *op. cit.*, II, 55 (Anhang).

quently urged upon the need of conciliating them for he felt they alone would give the necessary support to the empire.

On September 5, 1865, Maximilian took occasion again to emphasize the fact that there was religious toleration in the empire. On that date he issued his famous decree on colonization, the ninth article of which declared:

Liberty in the exercise of their respective forms of religious worship is secured to immigrants by the organic law of the empire.⁴⁴

The year 1865 was thus one of momentous importance to Maximilian and his supporters as well as to the opponents of the imperial régime. Maximilian had put into operation, as far as he was able, his liberal views in religion and in education. He took occasion to deliver an address on September 16, 1865, in which he gave expression to his liberal views. The address is illuminating as well as interesting. It is here given in full:

We celebrate today the memory of a man born in obscurity, from the lowest ranks of the people, and who occupies now one of the highest and most illustrious places in the glorious history of our country. A representative of the mixed races, to whom man's false pride, outraging the sublime precepts of our gospel, refused to grant what is due to them, he has written his name in golden letters on the pages of immortality. How has he done it? With two qualities which are virtues of a true citizen: the patriotism and courage of an indomitable conviction.

He wanted the independence of his country; he wanted it with the consciousness of the justice of his cause; and God, who helps always those who have faith in their mission had gifted him with the peculiar qualities of a great leader. We have seen the humble son of the people triumph on the battlefield; we saw him, a poor curate, govern the provinces under his command in the difficult moments of their painful regeneration; we saw him die in shedding blood like a martyr to freedom and independence; but this man will live forever, for the triumph of his principles is the basis of our nationality.

⁴⁴ *Diplomatic Correspondence of the United States*, 1865, III. 505.

As a free and democratic country, Mexico has the happiness to show the history of its regeneration and freedom represented by heroes belonging to all races who form now an indivisible nation.

This happiness constitutes its futurity. Every one of them has worked with the same patriotic zeal for the good of the country. All of them have the same rights of enjoying the benefits of their arduous task, and thus to proclaim equality, which is the only and true basis of a nation which respects itself.

Let the movement which we inaugurate today for Morelos's one hundredth anniversary be a stimulus to new generations, so that they may learn from the great citizen which makes the invincible strength of our nation.⁴⁵

The year 1866 opened gloomily for Maximilian, however. The series of external events, such as the determination of the United States to cause the withdrawal of the French forces from Mexico as well as its hostile attitude in general to the empire, the announcement by Napoleon III. of his desire to withdraw his military forces from Mexico, and the renewed vigor of the forces of President Juárez all contributed to make the position of Emperor Maximilian an impossible one. The failure of the mission to Rome was especially disconcerting to him. He felt that the pope was pursuing a policy which would mean not only defeat to the clerico-conservative program but to the whole imperial régime. He became suspicious of the members of the special commission, charging them with frittering their time away and possibly even working deliberately with the enemies of the empire. Nor was the work of his personal representative, Father Fischer, any more successful. It was he, however, who alone had evolved a concrete scheme for a solution of the all important ecclesiastical problem. This strange figure who reëntered upon the state toward the middle of the year 1865 had had a very checkered career. He was a Lutheran German who had become a member of the Society of Jesus; and had been sent by Emperor Maximilian

⁴⁵ *Diplomatic Correspondence of the United States*, 1865, III. 459-460.

to Rome. The special commission was ordered to return to Mexico as was also Father Fischer. The latter returned to lay the plan before Maximilian for a solution of the ecclesiastical problem. It was his belief that this problem could only be solved in Mexico itself and through the conjunction of the clerical forces and the government of Maximilian. He accordingly urged Maximilian to assemble in Mexico City the chief prelates of the empire and to submit to them the whole question at issue between the church and the state. And since he had the confidence of the emperor that was the program adopted by the monarch. Maximilian accordingly abandoned the liberal cause, which he held so dear, and turned to the clericals and conservatives for support. In view of this changed situation, the address which he delivered on September 16, 1866, becomes interesting. It is given in full because of the light which it throws on his ideology :

Gentlemen: This is a family festival, a festival of brothers, which unites every one of us this day under the folds of our glorious banner. The day upon which our immortal Hidalgo, elevating with unprecedented valor his patriotic voice, united the heroes of a new Mexican era, will be forever, to the sons of our country, a day of rejoicing, because we then celebrate the inauguration of our nationality, because every good Mexican must renew by an oath the promise to live for the greatness, the independence, and the integrity of his country, and show himself always ready to defend it with all his heart and soul. The words of the oath are the first uttered by a good Mexican. I solemnly repeat them now: My heart, my soul, my labor, and my lawful efforts belong to you and to our beloved country. No influence in this world can make me waver in my duty; every drop of my blood is Mexican now, and if God sends fresh dangers to threaten our country, you will see me fight in your ranks for its independence and integrity. I am willing to die at the foot of our glorious banner, because no human power can wrest from me the trust with which you have endowed me. Thus united, and following the path of duty, we will be strong, and the principles which form the basis of our task will infallibly triumph.⁴⁶

⁴⁶ *Ibid.*, III. 476-477.

The plan to take the cause of the empire to the people failed because of the calamities which came thick and fast upon the imperial government. We need not concern ourselves with these here. We are concerned primarily with the phases of Maximilian's ecclesiastical policy. The emperor prepared for the forthcoming synod of the higher clergy in Mexico City. He had an address which he had written to be presented to the opening session of this gathering translated into Latin. The task of translating it he entrusted to his physician in ordinary, Dr. Samuel Basch. The address was directed to the archbishops and the bishops of the empire. It was the emperor's imperial wish, so it ran, to see peace reëstablished between the government and the church. He declared that the differences between them had their origin in the laws which, due to the failure of the pope to come to his aid in the solution of the whole ecclesiastical question, he had been forced to protect and to continue in force. The prelates were, accordingly, requested to solve the ecclesiastical question in a manner acceptable to all parties. The government, he added, would render them all the assistance possible. But he reminded them that nothing should be done which would in any way deprive the Mexican people of their happiness or their independence, or to do anything which would interfere with their welfare. Nothing must be done to place the Mexican nation in a subordinate position to that of the church. He appealed to their love of country to work for the good of the cause and for the nation.⁴⁷

"This address is given in full both in German and in Latin in Dr. Samuel Basch's work *Erinnerungen aus Mexiko* (Leipzig, 1868). The Latin version is as follows:

"Reverendissimi et fidelissimi Archiepiscopi et Episcopi Imperii Mei!

"Voluntas mea est, ut pax perennis inter Imperium ejusque Ecclesiam regnet. Hoc animo motus desiderio sanctissimi Patris libentissimi occurri atque concessi, ut veniretis in urbem Meam et conferretis consilia de variis questionibus adhuc non judicatis cum Delegatis Gubernii mei. Hae questionibus adhuc non judicatae nascuntur ex legibus sanctiis per Gubernia Imperio Meo antecedentia, quas mihi legitimo eorum successoris tueri necesse erat, usque dum fructatus cum sede Pontificia novum fundamentum posuissent.

But there was to be no opportunity for such a gathering to come together. The country was face to face with graver problems. We need not detail the causes of the fall of the empire early in the summer of 1867. Nor is there a place here for an account of the ill-fated mission of Empress Charlotte to the court of Napoleon III. and to the court of Pope Pius IX. These two royal babes in the junglewood of international intrigue and imperialism were crushed by forces far beyond their power to control. We cannot but admire their game-ness even though it meant the loss of their lives. Charlotte was broken in mind late in September of 1866 but lingered on in mental darkness for more than sixty years. Maximilian was executed at the hands of a firing squad at Querétaro on

"A primo initio Imperii Mei omnia haec perspexi, atque necessitatem conciliationis pacificae agnoscens. Ipse in urbem sacram perfectus sum et a Patre Sanctissimo petivi, ut cito mitteret Nuntium cum plena potestate agendi et tractandi.

"Haud ignoti sunt Vobis, o Reverendissimi Principes Ecclesiae, eventus, qui subsecuti sunt. Nuntius Pontificius ex insperato profectus est; atque Ego semper aspirans ad conciliationem pacificam ac beneficam, ad alias rationes compulsus eram.

"Ad comprobendam voluntatem Meam bonam ac sinceram, legationem diplomaticam cum primo Ministro Meo ad Patrem sanctissimi misi. Hi viri dignissimi optima voluntate et amore patriae praediti difficultates praecipuas ita sustulerunt, ut Gubernium Meum nunc cum dignissimis Archiepiscopis et Episcopis Mexicani tractare possit.

"Gubernium Meum ad has tractiones, quae rem decernere debent et ad perficiendam perennem conciliationem inter Imperium ejusque Ecclesiam optimam et sincerissimam voluntatem affert, nec non paratum est omnibus rationibus uti, quae ad tollenda impedimenta utiles esse videantur.

"Iis rationibus vero nunquam accedet, quae felicitati at quae commodis populi adversae sunt, aut quae jus Nationis Mexicanae a Majoribus traditum violare possint.

"Persuasum Mihi est de amore patriae et de voluntati quam habent conciliandi Archiepiscopi et Episcopi Imperii Mei: et hac ex causa spes optima Me tenet fore, ut clare verum statum perspicientes ingenio Vestro complectamini difficultates et obligationes conscientiae quibus nunc Gubernium Nostrum occupatur, et consecretis omnes vires ac diligentium huic operi pacis.

"De Mea igitur ergo Vos benevolentia certiores facti suscipite alaeri animo munus Vobis commissum et patriam nostram; Imperatricem et Me Ipsum Deo in orationibus Vestris commendate'".

June 19, 1867. Thus the drama was at end, as far as the two tragic figures were concerned; but not so the drama in which the temporal and the ecclesiastical forces were involved. This struggle still continues. The rumblings from across the Rio Bravo tell of a struggle as fierce as any that has been fought between these two forces in that unhappy land. And the end is not yet.

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DOCUMENTS

TRANSLATION OF A LETTER FROM THE ARCH-BISHOP OF COSENZA TO PETRUS DE ACOSTA

[This letter should properly have appeared with the documents contributed with an introduction by Mr. Henry R. Wagner to the May number of this REVIEW. It was received too late, however, for insertion at that time. In sending this document, Mr. Wagner says: "As Saville in his *Earliest Notices concerning the Conquest of Mexico* published in 1920, translated the 'Trois Lettres' and another letter in Spanish, by inserting the translation of this Latin letter we would have a publication in full of all the known documents down to 1523."—Ed.]

The fact that this letter contains anything regarding Cortés is generally unknown. No translation of it seems ever to have been published, and therefore I herewith append one, kindly made by Professor F. M. Carey of the University of California at Los Angeles. In the dedication prefixed to the first and principal part of the document, *Provinciae sive regiones in India*, Flores, the translator, refers to himself as of Fimbria, the Latin name for Femeren, an island in the Baltic Sea off the coast of Denmark. The account of the Grijalva expedition was undoubtedly translated from the Spanish, and so may we presume to have been the letter of the archbishop. The call for preachers to go to the Indies announced in the title of his letter was omitted in the Latin translation, a matter of regret.

There is some uncertainty about the proper translation of the sentence where the brackets occur. Strictly this sentence begins as follows: "Between these is carved, etc." Obviously there was nothing carved between the two wheels, which were entirely separate. As we know from another contemporary account that the silver wheel had the figure of a man depicted on it, it seems likely that the archbishop was referring to this one, and that the translator meant "in the middle of" as I have interpreted his words.

HENRY R. WAGNER.

San Marino, California.

[TRANSLATION]

Copy of a letter from the Most Reverend Lord John, Archbishop of Cosenza, Apostolic Nuncio to His Imperial Majesty, to Petrus de Acosta, Prothonotary Apostolic, etc., concerning preachers for the Indies, and concerning the gifts made to the same Imperial Majesty, translated by Ferdinand Flores.

As soon as his imperial Majesty had arrived at the town of Valladolid, he found awaiting him there ambassadors of New India, to wit, three men and two women, of a dusky color a little less black than that of the Ethiopians. The men (the youngest of whom had learned the Spanish tongue) were of moderate height, but the women were short of stature and of disagreeable and unprepossessing appearance. The bodies of the men were pierced and cut all over, especially the lower lip which they pierced next the chin and which, when pierced, they deck out with a sort of ornament wrought of stones of mosaic work which they wear or lay aside at pleasure, and in order that they may hold it more firmly, they extract the front teeth; they themselves assert that those among them whose lower lip rises higher are regarded as more beautiful. They care for their hair and beard, which they sometimes cut with knives made of stone. Their clothes are of linen and cotton decorated all about with feathers of parrots and vultures; these they gather at the shoulders, and when they let them down they cover the whole body. The genitals also they cover with similar cloth; as for the rest, they go naked.

They say [that they are] from the island of Iucatan which they now call Karolina (farther to the north than all the other islands hitherto found) and have been sent by a certain prince or *cacique* who desires to enter into a treaty with his imperial Majesty, for whom they have brought among other gifts two wheels eight palms in diameter, one of gold, and the other of silver, [in the middle of which] is carved a seat where sits an image resembling a demon, with open mouth and bulging eyes, on his knees on the right a scepter curving downward like the pastoral scepter of bishops, and on the left a fan. The wheels are made most beautifully for the whole circumference. Of these they say that the one of gold weighs more than fifty pounds, and that of silver a little less. The Indians say that these images of theirs are divinities and that they worship them as gods. They have

also brought a scepter wrought of gems and stones, and a gold necklace adorned with stones similar in color to lapis lazuli and of a deep blue. They have also brought the heads of three animals together with their pelts: viz., of a panther, a wolf, and a stag, which have gems in place of eyes, and pearls in place of teeth, so ingeniously mounted that they seem to be alive. Likewise a crown of parrots' feathers set with very beautiful stones of mosaic work in front, as well as various other ornaments made from feathers. Also a shield, not unlike ours, of cotton covered over with leather; and spears, the shafts of which are woven of parrots' feathers and have points of stone. Also a panther's skin with the back woven with parrots' feathers, which they said they use as a carpet. Their garments are of linen (as we have said) and are ornamented; and there are other very beautiful ones of gold and single large pearls, some very like fans. Also representations of animals and birds so ingeniously worked in stone and feathers that they are rather to be wondered at than to admit of any sort of description. They have also given to his imperial Majesty dust from which they obtain gold and many other things. His imperial Majesty has presented them with Spanish costumes and the best of clothes. They say that by their king's order they are about to return to tell what they have seen among us. All this his imperial Majesty bade be shown to the ambassadors of the princes who were then present. I do not wish to omit that among other gifts they brought a folded linen book, in which we saw when unfolded, writings like Arabic or Chaldaic, which they say are Indian, or at least can be surely recognized as such; but they themselves could not give an account of those letters. Some, a larger number, related that at the order of the king they had been reborn by water of the holy spirit in the town of Tordesillas. This I do not doubt, for when we asked a little before whether they wished to become Christians and those who stood around had said that I was a priest and nuncio of the chief priest of the Christians, they asked with great urgency that I treat with his imperial Majesty that he might bid them become Christians; though some one of them is said to have answered that they would gladly become Christians if they were to remain among Christians, etc.

From Valladolid, the seventh of March. MDXX.

LETTER FROM ALEXANDER M. CLAYTON TO J. F. H. CLAIBORNE RELATIVE TO CUBAN AFFAIRS

Few remarks are necessary in presenting "The Relations of the United States and Cuba in 1853 & 54", as told by our consul to the island in those years. Alexander M. Clayton, the writer, prepared this document for his friend, J. F. H. Claiborne, in the days when the latter was compiling his *Mississippi, as a Province, Territory, and State*. Claiborne proposed to include the substance of this account in the second volume of his excellent work, and presumably did so, but the unfortunate destruction of the manuscript on the eve of its journey to the printer brought this plan to nought. The present document, and other interesting material, is in the possession of Mrs. Alexander L. Bondurant, University, Miss., who is a grand-niece of General Claiborne. In the collection are a number of letters from Clayton to Claiborne.

CHARLES S. SYDNOR.

University of Mississippi.

THE RELATIONS OF THE UNITED STATES AND CUBA IN 1853 & 54

In the month of May 1853, I was appointed Consul to Havana by President Pierce, in the place of Judge [W. L.] Sharkey, who had been the incumbent of the position under the previous administration.

At the time of my appointment, there was an unusual degree of excitement and agitation on the subject of the acquisition and annexation of Cuba. Spain was unalterably fixed in her determination, not to part with the island, because, among other reasons, a very large part of her revenue was derived from that prolific source. Public anxiety in this country to obtain it, seemed to increase with the firm position of Spain in retaining it. In this anxiety the people of the Northern States participated equally with those of the South, or even outstripped them.

Upon the installation of the Pierce administration, high expectations on the part of those identified with the Cuban movement, seem

to have been founded, upon the supposed sympathy of the Democratic party, with the scheme of annexation. The Government proved to be very firm in maintaining and enforcing the neutrality Laws, and the disastrous expedition of Gen. Lopez, and the unfortunate fate of Crittenden and his companions, induced extreme caution, in those who were inclined to take the land by fillibustering. Our Government acted with great impartiality—it did not give countenance or favor to any unauthorized invasion; but it was no less firm in upholding the Monroe doctrine, against the interefence of European Powers in the affairs of this Continent.

In this state of things, a report was widely and industriously circulated, that England and France had entered into a secret Treaty with Spain, in which it was stipulated that the slaves in Cuba should be liberated by Spain, and that the other contracting powers should guarantee the possession of the island to Spain against interference by the United States. It was against this policy of Africanizing Cuba, that our Government was most thoroughly committed. It would not have seen the consummation of this event, without the use of all practicable means, even a resort to war, to prevent it. Hence it was a matter of vital interest and importance to ascertain beyond doubt, whether there was such a treaty.

When my appointment reached me I was directed to proceed to my post, as soon as practicable, and informed that my instructions would meet me there. I arrived in Havana about the middle of July, to find the yellow fever raging as an epidemic, in an unusually malignant form, and attacking every unacclimated person, in a very short time. I found no instructions from the Government. I was unwilling to remain in the midst of so much sickness, and determined to return and report in person to the State Department at once. This I did, and offered to place my Commission at their disposal, if it was necessary to have a Consul there under such circumstances. My offer was not accepted, and I was directed to return as soon as the health of the City was so far restored, as to make a residence safe. In November I received notice from the Government, that the condition of affairs required my immediate return.

Besides attention to the usual Consular duties, I was instructed to ascertain whether such treaty as the one above mentioned was in existence, and I was led to believe that the fate of the island depended on the result.

When I reached the Consulate in December 1853, I soon became surrounded by persons, who were anxious to use every possible means to prevail on me, to induce our Government to take the Island. Although personally in favor of annexation, if it be accomplished in a legitimate manner, I determined to pursue my instructions with caution, and to be guided solely by my convictions of truth.

There was at the same time, another cause of agitation. There were about fifty Americans confined in the State prison, for alleged violation of the laws against the Slave Trade, and I was urged to take violent and rash measures to procure their liberation, or to involve our Government in controversy in their behalf. War by some means was the desired measure, as the taking of the island was regarded as its inevitable result. My requests of the then Captain General had met with no favorable response. But it was known that he was soon to be removed, to make place for a new Governor, the Marquis of Pezuela. Very soon after he was installed, I brought the case of these men to his notice, and urged their liberation as a means of preserving amicable relations, between the respective Governments. They were shortly afterwards released, without trial, and without punishment, other than the long imprisonment, to which they had been previously subjected.

The alleged Treaty however was the great instrument relied on, to bring about hostilities. It was believed if its existence could be established, armed intervention would immediately follow. Rumors of every shade and complexion were constantly poured into my ears, of immediate emancipation, of the elevation of the slave into equality with the governing class, and of the consequent destruction of the material interests of the island, and of the reflex injury to the Southern States of our Union. At length one of the most persistent of the Agitators told me with a great show of confidence, that the existence of the Treaty was no longer a matter of doubt, for a Clerk in the Office of the Governor General, who had access to it, has read and examined it. I replied to my informant, that is putting an entirely new face on affairs, and if there is a Clerk who has access to the Treaty, who has told what you say, he will for money enough furnish me a copy. Have him informed, that our Government will pay him \$100,000 for an authentic copy. He promised me to attend to it, but strange to say that was an end of the whole matter, and the Treaty vanished into thin air.

After waiting a reasonable time, without hearing any thing farther on the subject, I wrote to the State Department at Washington, that after the most diligent and careful investigation in my power, I had reached the conclusion, that there was no evidence in Cuba, of the existence of any such Treaty, and that in my opinion no such Treaty had been formed. A copy of this letter was placed on the Consular records in Havana.

This was the accomplishment of the special object of my appointment, and as there was nothing in the usual routine of Consular duties that was of interest to me, I resigned my position and returned home.

The yellow fever was still prevailing, inside the walls of the City. I lost my young friend with it, who had gone there with me, in a few days after my arrival, and I was unwilling either to live apart from my family, or to take them to such a climate.

At New Orleans on my way back, I was called upon by Mr. Henderson and others of those who were most strenuous in their exertions for the liberation of Cuba, to learn my views of the situation. My reply was, that in my view our Government would enforce the neutrality laws, because there was no ground for its interference in any other way. I farther told them, that nothing would be done, toward the acquisition of the island, either by the Patriots there, or by the Fillibusters in this Country for very potent reasons. The Cuban Patriots avowed that they could not rise, until the Americans should land in sufficient armed force to afford them protection from Spanish cruelty. On the other hand the American plan, was to make no overt demonstration or movement, until the Cubans had themselves risen and showed themselves able to resist the Spanish Government, for such a length of time, as would furnish reasonable excuse and apology for armed interference in their behalf. With such a wide difference in their views, and such an entire want of harmonious co-operation, it was impossible for any thing to be undertaken on either side. The failure to support Lopez was abundant evidence of the settled purpose of the Cubans; and the desire to avoid a repetition of his fortunes was quite enough to justify the course of the sympathizers with Cuba, in this country.

The result accorded with the views which I expressed, and the whole project seems shortly afterwards to have been abandoned.

My associations on the island were principally with those favoring annexation, and I was advised that spies were constantly on my track. But my course of conduct was governed only by the wish to perform the duty intrusted to me truthfully and faithfully.

This narrative is placed at your disposal, to be used as you may desire.

ALEX: M. CLAYTON

Late U. S. Consul at Havana.

[Addressed:] To Honble. J. F. H. Claiborne.

THE SPANISH CRUSOE

AN ACCOUNT BY MAESE JOAN OF EIGHT YEARS
SPENT AS A CASTAWAY ON THE SERRANA
KEYS IN THE CARIBBEAN SEA, 1528-1536

INTRODUCTION

To speak of the perils of the sea is a commonplace as old as navigation. Our literature is crowded with stories of shipwrecks and castaways. What boy has not thrilled over *Westward Ho!*, *The Cruise of the Cachalot*, *Robinson Crusoe*, not to mention a host of others? But these entrancing tales, after all, are only fiction. What we are in danger of forgetting in these days is the terrible background of fact from which they sprang, for being cast away on desert islands was the frequent lot of the early sailors in the unknown and fearful waters of the new world. Unfortunately, the accounts of actual shipwrecks are usually dull and uninspired narratives of starvation and death, wanting the art of the storyteller to make them live for us. Here, however, across the centuries comes the story of a Spanish sailor who met and overcame difficulties that make Robinson Crusoe seem like the spoilt darling of fortune.

In the western Caribbean (latitude 80° west, longitude 14° north), lies a dangerous group of shoals and sandbars known as the Serrana Keys. No living thing grows on these barren

islets. Not a tree, not a blade of grass, not a drop of water, invites the habitation of man, while the terrific breakers warn vessels to give them a wide berth. To make this forbidding waste still more inhospitable, no rain falls there during the scorching months of summer. And yet, a man lived there for eight incredible years once, four centuries ago—lived without shelter from the tropical sun; lived without clothing, without food, without water, even, save such as he was able to wrest from an unwilling nature. All we know of this sailor is that his name was John—Maese Joan, as he called himself—and his stark narrative that has lain almost unnoticed for four hundred years in the great Archives of the Indies at Seville.

His story has a parallel in the account of a certain Pedro Serrano who was cast away about the same time on the shoals of Serranilla, some hundred miles to the north, and after whom both groups may have been named. Serrano's story is told at third hand by Garcilaso de la Vega, the Inca, in his *Royal Commentaries* (Pt. I, Chap. VIII, Markham's translation), and, although the two tales are close enough to make one suspect that they are one and the same, yet Maese Joan's relation is far more circumstantial and convincing than the other, not having suffered improvement at the hands of literary persons.

The resemblance of Maese Joan's narrative to *Robinson Crusoe* is, of course, the first thing that strikes the reader. They were both pious men. Crusoe was badly frightened at the footprint in the sand; Joan, when he saw the devil against his hut after he had been for several days without water. Crusoe fashioned a clumsy boat out of a log; Joan made his out of sealskins. But beyond a few fortuitous analogies, such as these, the two narratives are as far apart as truth and fiction. Nor is it at all necessary to suppose that Defoe had even so much as heard of the Spanish sailor, in view of the frequency of shipwreck in those early years.

Maese Joan has told his story with a rude eloquence and naked style which the translator has endeavored faithfully

to render into English, although some liberties have been taken with the original punctuation. The curious reader may find the story in its original Spanish in the *Documentos Inéditos del Archivo de Indias*, X. 57-66.

LESLEY BYRD SIMPSON.

Berkeley, California.
January, 1929.

[TRANSLATION]

To comply with your Grace's command, I have undertaken to give an account of my being cast away, and if perchance the style is not so good as my will to serve your Grace, lay it to my lack of reading and writing and let my will serve instead.

I left Santo Domingo on Saturday, Palm Sunday eve, in the year 1528, in the ship of Pedro de Sifuentes, the pilot of which was a person by the name of Portogalete. We stopped at the town of Higüey to take on a cargo of supplies for the fortress of Margarita, because the ship in which I was going carried cannon and powder and munitions for the said fortress. We stopped at Porto Rico in the island of San Juan, and there we remained for five days, and thence we set out again on our way. And on the following day we landed at another port in the island of Santa Cruz to lay in a supply of water. There two war canoes came out to meet us, each with sixty Indians in it, more or less, with their bows and arrows, and in consideration of the fact that those Indians have a very poisonous herb, we put back out to sea and they pursued us for two leagues, and so we lost them and continued again on our voyage. The winds were not very scarce and at the end of five days we reached the island of Piritu which lies thirty leagues to the windward of the pearls, and our pilot was unable to recognize the land, and we doubled back toward the west, coasting Tierra Firme, and landed on the island of Guaimacaran, because we were distressed by the lack of water.

We did not find it on this island and we went back to Tierra Firme to a port in which there was a town of warlike Indians, and we were in a hiding place where we remained all of one night. The next day at dawn there came out to meet us eleven war canoes with their bows and poisoned arrows, and they came on board demanding hatchets. And one of our men, whose name was Bautista Genoves, thinking that

they were peaceful, got into one of their canoes, and they, seeing the said Bautista in their canoes, left the ship and set out toward land, and I took an arquebus and filled it with flints and fired on them after they had shot many arrows at us, and I killed the chief of the Indians and two others. And most of them from fright at the shot threw themselves into the water, and some swimming and some in the canoes they were soon all on land. And up to the present nothing has been heard of the said Bautista.

We departed thence and went to a deserted port where we took water at the mouth of a river. Thence, seeing that the pilot did not know what he was doing and had no knowledge of where he was, we agreed to turn back to Santo Domingo, whence we had come, and we landed on the island of Arriba which belongs to the factor of Santo Domingo, and there the master pilot left us, for the said Portogalete was no less than that, and he deserted us because of the poor supply of food in the ship and the poor account he had given of himself.

So we, seeing that we could not have the said pilot, set out on our way to Santo Domingo without the help of anyone to direct us, as we were all novices in the art of the sea. At midnight on a Saturday in the middle of the gulf we were suddenly struck by a tempest that carried away both our masts and all the sails, and the ship opened so that a great quantity of water entered in it. We sailed before the wind wherever it and the sea might carry us, and at the end of six days, on Wednesday night, we struck on the shoal of La Serrana, the storm not having abated in all that time, and we did not see the island, because it is so little. While the ship was going to pieces thus on the shoal we saw the whitening of the sand, and I remembered to take a powder horn that I had in my box and a steel in my mouth, and so I jumped into the sea and swam to the island.

I left the powder and the steel on shore and returned to the ship to see if I could help anyone, and after I arrived the ship broke in four pieces and all the people were on one piece. I tied together all the ends of rigging I could find and with them made a long piece and went on shore with it, and all came on shore by means of it. And with the high tide of the night the sea carried away the ship so that on the next day at dawn we did not see it. From the ship nothing could be taken except the powder and steel, as I have said, and for lack of a flint, which I could not bring off, we ate raw meat for almost two

months and drank the blood of the seals and sea-cows that came to the island.

As some thought that that life was sterile, as your Grace will see, they determined to build a raft, and we all built one out of timbers that the sea had brought to the island. After they were lashed together with seal skins and cords of the same seals, three got on the raft and three of us stayed behind, two men and a boy. Four days after those of the raft had left, one of the three who had stayed, whose name was Moreno de Malaga, seeing that there was no water or fire and that it was the month of August (for up to that time we had been delayed, as I have said above), began to eat his arms, and from several bites that he gave himself he died raving.

When I saw that my companions had left and that another had died and that only the boy was left for a companion, I made shift to find some remedy by which I might sustain myself. And so I began to dig with tortoise bones in various parts of the island to see if there was any water, and because the land was so little in the midst of the gulf I found the water everywhere as salt as that of the sea. I drank this water several times mixed with the blood of the seals. And in this time it never rained so that I might be succored by water from Heaven. And I made shift, in case it should rain, to dig pits in the sand, and I took many seal skins and lined the pits, and when God willed that it should rain, which was in the month of October, I caught some water in the pits and in a few snail shells of the sort that there are called *cobos*. The water in the pits lasted a very short time, because it sank in the sand. When it rained I was so eager to drink that I jumped into the water in such fashion that I cut my arms and legs very badly, and the remedy I found for it was to mix the water with blood.

For two months after landing on the island I was without fire, and seeing that winter was coming and that I could not support myself without fire, I set about making a raft no larger than just necessary to sustain me, and I went to the place where the ship had sunk (I mean where it may have sunk) and I made an anchor out of a stone to tie the raft in a fathom and a half of water, and by diving several times I found a pebble with which I made fire. And I was in such a state that only the mercy of God and the fire restored my life to me, and the boy who was with me was in such a state that I, fearing that

he might die, and he, from seeing me as I was, were both very fearful of losing one another, because at this time the death of the one who should remain alive was certain. After I had got fire I made fires every night, so that if by chance some ship should pass it would see us by the fires.

And on another very small island, which is to the leeward of where I was, there were two men from another ship that had been lost, and they, seeing the fires, came on a raft to where I was, and they were with me five years. And in this time we set about making a boat with timbers the sea brought, and by swimming we captured the timbers and made our boat in this manner: I with my companions built a forge and bellows from sealskins, and in the place where the ship had gone down I made a saw with some iron things that we were bringing to the church of Cubagua, and of them we made nails. And after our boat was done, with its sails of sealskins cured as best we could, we embarked, the said companions, the boy and I, and sailed away thinking we might be able to reach the island of Jamaica.

And I, when I saw myself on the sea and saw that the boat was of pieces and without tar, being greased only with seal fat blackened with charcoal, I thought at once that it was impossible to save ourselves in it, and I had them bring the boat to land, and one of the men from the other island and I got off, and the other and the boy who was with me went away, and nothing has been heard of them to this day, and the weather was adverse to them.

And so when my companion and I saw ourselves thus, we made some small boats of sealskins and in them we sailed about the shoals, which are twelve leagues long and all very shallow; in the deepest part, I say, there is no more than a fathom of water on these shoals. There are seventeen of them all covered by the sea except five. I have sent word of this to the chief pilot of his Majesty at Seville, as it is very necessary for the safety of vessels. And I have shown Francisco Gutierrez, who makes the navigation charts, how one can pass through them, in case one is by chance found among them, for there are three channels by which to pass through in which there are five fathoms. From our sealskin boats we made soundings everywhere from island to island to see if we might not find some pieces of sunken ships, and we never found anything.

We ate the turtle eggs that we found on those islands, and the seals, which were the same fare as on our island. Our sleeping was done in the same skins, and at times we would be a month and more without returning to our island. At this time my companion and I decided to build two towers, one on the south side and one on the north, out of stone with no mortar, and these were sixteen fathoms around and four high, with their stairways, and we climbed up there to watch the sea. On one of them we put wood and other things to make smoke so that we might be seen by some vessel if by chance one passed. We built a pond with twenty-two fathoms of wall to take fish, and this stone we took out of the sea, for on the island there was only sand. We also took out stone by which we made salt. We made a house covered with skins where we took shelter, and our clothing and bedding were of sealskins. During five months of the year we dug turtle eggs from the sand close to the sea. These we dried and prepared to eat, and we found them a good food for the winter. Sometimes we ate the sea-crows that came there, and when we did not, there was nothing else except some roots of a plant that seemed somewhat like greens.

Three years after the others had left, and eight years since we had come there, God permitted that we should be rescued, and one day, on St. Matthew's eve at noon, we saw a ship under sail, and we made a very great smoke on one of our towers. And when those on board the ship saw us they lowered a boat and the master and the sailors landed, and the master, whose name is Joan Bautista Jinoves, a citizen of Triana, took testimony by a notary of everything he saw. Thence we came to Havana where it was the will of God that my lord, Don Pedro de Alvarado, the adelantado, was, and he noticed our manner of dress and was informed by the master of our life, and he forthwith received us as his and provided us with necessities, and he supports the other in the Indies and me in Spain, as your majesty sees.

This is not so extensive as I could wish, because it was impossible to retain a just remembrance of everything without writing it down as it happened. Receive, your majesty, the will I have to serve you and the remembrance I will keep of it wherever I be. I kiss your majesty's hands.

MAESE JOAN.

One thing I forgot, and that is, that what caused us the most pain and torment was the crabs and sea snails, because at night we could

not prevail against them, and we protected ourselves with skins, and most of the time we made day of night and night of day.

Once being fatigued by thirst, for we had not drunk for three days and on this account we did not speak to one another except each one praying to himself, I was seated in the shade of our hut making a fish-hook and complaining to our Lord, saying that I had been naked and barefoot for eight years in that desert where there was no means of support, and that would He be pleased to take me from this world, or to a Christian country. And in my suffering I said: "Since God will not deliver me, let the devil deliver me and there I shall die!" That night I got up to urinate and I saw him against the hut in a worse form than he is painted, with a very hooked nose, and he was breathing something like smoke from his nostrils and casting fire from his eyes, and his feet were like those of a griffon, and his tails like a bat's, and his eyes like a man's, and his hair very black, with two horns not very long. I called to my companion who was lying down in the hut and we took a cross that I had made of cedar and with it we walked over the whole island and never saw anything, only later, two weeks afterwards, I got badly frightened at night, and I saw nothing, but only heard footsteps, and saw nothing. Twice I was frightened at night seeing nothing.

Your majesty must know that the white of the turtle eggs, one or two weeks after they are laid and then put under ground, turns to water, and with that water I lived five months in the year. We kept rain water also in sealskins put in pits, and also in snail shells, and also in thick beams hollowed out. And we had salt by taking stones out of the sea and filling their hollows with water and when it dried it turned to salt. And when it stormed we could not catch fish, so we took sea-crows, of which there were many, and we made them give up the fish they were carrying to their young, and we ate them too.

In order to supply ourselves for the winter, for two months, April and May, we dug turtle eggs and washed them and set them out to dry, and with these we supported ourselves seven months of winter. We also had a tank of stone without mortar which we watched at night in order to take the fish that were in it. The seals came in January to bear their young and we ate the young, and we took the milk they had in their teats and put it in snail shells, and we cooked it also in snail shells and ate it. The taste of it was very bitter. And we put

their skins under water and after three days they were free of hair and out of them, when they were dry, we made breech-clouts, jerkins, and capes with hoods. We dug three wells and we always found the water salt, and when it rained we did not dare drink it without mixing it with the water of the wells, because it caught me in all my joints; because it was raw and I was used to salt it harmed me. During this time I was twice sick, and both of the times I fell sick it was in August.

The End.

BOOK REVIEWS

The Mexican Side of the Texan Revolution. By the Chief Mexican Participants: General Antonio López de Santa-Anna, D. Ramón Martínez Caro (Secretary to Santa-Anna), General Vicente Filisola, General José Urrea, General José María Tornel (Secretary of War). Translated with notes by CARLOS E. CASTAÑEDA, Latin-American Librarian, University of Texas. (Dallas, Texas: P. L. Turner Company, 1928. Pp. vii, 391, 2 maps.)

This translation of five rare pamphlets on the Texan revolution is an important contribution to the source materials in the English language bearing upon the subject. These documents "show clearly", as the editor has remarked, "how a series of coincidences that may almost be called providential, united to give the victory to the Texans and to make possible their independence". They also emphasize, to employ again the language of the editor, "the traditional sins of Mexico, dissension and personal envy. . . ." It might further have been noted that they give a rather vivid picture of the treatment of prisoners on each side as well as the cleverness of certain leaders when faced by a crisis.

To the present reviewer, the document which came from the pen of Tornel, Mexican secretary of war, appears to be the most significant and illuminating. This pamphlet presents a view of the territorial expansion of the United States which reveals how profoundly our method of acquiring Louisiana and the Floridas influenced the Mexican mind. Moreover, it indicates the weight given to the statements of Luis de Onís, Tocqueville, and John Quincy Adams. Not alone the manner of our expansion, but the interpretation placed upon our acts, has been taken into consideration in the formation of Mexican attitudes. The case is typical. It illustrates the basis of Yankee-phobia wherever it has appeared in Hispanic America. Finally, Tornel's pronouncement throws light upon the Mexican War, revealing a deep bitterness and a confidence in Mexico's ability to meet the United States in armed conflict. England and France are counted upon to exert themselves in Mexico's behalf and the intention is an-

nounced of using the Indians on the international boundary as allies in the contest.

Along with this pamphlet of Tornel's should be read the letters of Mier y Terán and the reports of Alamán, which, presumably for lack of space, the editor did not include in his valuable volume. Whoever wishes a clear understanding of the Texan revolution and the Mexican War from the Mexican standpoint must read the works of these seven men which relate to the subject.

The editor-translator has done a good piece of work. The English is excellent, misprints are rare, and the maps and index are useful. The uninitiated student will wish for more notes and references to the witnesses on the side of the Texans and the United States, but it was impossible to crowd everything into one work. As it is, the volume is pretty large.

J. FRED RIPPY.

Duke University.

Historia de la Literatura Mejicana. By JULIO JIMÉNEZ RUEDA. (Mexico: Editorial "Cultural", 1928. 3 pesos.)

Although several reliable histories of the general field of Spanish-American literature are available, comparatively few histories of the literature of individual countries have been produced. Julio Jiménez Rueda, of the National University of Mexico and dean of the Summer Session of the same institution, has given us, in less than three hundred pages, a view of the entire literary development of Mexico from the time of the conquest to the present day.

In his introduction, Professor Rueda discusses the nature of Mexican literature, its relation to the literature of Spain—its parent stock—its relation to social and historical events, and the native literature existent at the time of the conquest in 1521. This reviewer believes more space could with profit have been devoted to this introduction, for many things of great interest here touched on lightly merit fuller treatment.

In twenty chapters, the author takes us from the earliest literature produced in Mexico—the historical writings of Cortés—through the various aspects of Mexican literature—poetry, the novel, history, etc.—of the different historical periods. Always considering the author under discussion and his product in their relation to the historical

and social environment, he makes his book of value to the student of history as well as to the person interested only in literature. The last chapter concerns the leading literary figures of present-day Mexico.

Professor Rueda has included a very useful bibliography of twenty-two pages, in which he has listed the titles under the several headings of the novel, history, journalism, poetry, anthologies, histories of literature, and a few other topics. There are also appended an index of authors, a very useful chronological table, and an index of subject matter grouped under the various chapter headings.

In his introduction, Professor Rueda stresses the difficulty of producing a literary history of Mexico and calls attention to the vast opportunities for literary research in the literature of the country. He states modestly that the aim of his book is to give the student an idea of the development of Mexican literature. Undoubtedly it will accomplish this purpose. He also informs us that two other histories of Mexican literature are in progress of preparation. When these appear, students of Mexican literature will be well provided with guideposts for their research if they are as carefully done as is the volume under discussion.

WILLIAM MARION MILLER.

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The Diary of Francisco Miranda: Tour of the United States, 1783-1784. The Spanish text edited with introduction and notes by WILLIAM SPENCE ROBERTSON. (New York: The Hispanic Society of America, 1928. Pp. xxxvi, 206. Illus. and map.)

This *Diary*, with its editorial additions, is an interesting and important work. It was discovered, with the rest of Miranda's papers, in 1922 by Dr. W. S. Robertson, the well-known Miranda authority, at Cirencester, Gloucestershire, the residence of the present Earl of Bathurst. The complete archives of the Venezuelan adventurer, which fill sixty-three volumes, had been in the possession of the earls of Bathurst since 1814, when, following Miranda's capture by the Spaniards, they were sent to the third earl, at the time British secretary of war and the colonies. Shortly after their discovery by Dr. Robertson they were acquired by the Venezuelan government and are now in Caracas, in charge of the *Academia Nacional de la Historia*.

The task of the editor was by no means easy, but was done in the painstaking, scholarly manner characterizing all of his work. For the orientation of the reader he prepared a long introduction, including a brief biographical sketch of Miranda, an account of the latter's papers, and a bibliography dealing with the papers, and with Miranda's career before 1785. A map showing the itinerary of the Venezuelan's tour and several illustrations, among them portraits of eminent men met by Miranda, views of buildings mentioned in the *Diary*, and facsimiles of documents of special importance, add to the value and attractiveness of the work. The index is very satisfying by its completeness.

More closely identified with the Miranda manuscript are the copious editorial notes, which aim to indicate as clearly as possible the character of the *Diary* as it came from the hands of its author—with quaint misspellings, corrections, and omissions—and at the same time to show the thought of the writer, and to make clear his allusions.

The visit to the United States, of which the *Diary* is a record, was made by Miranda to escape jurisdiction of the court of Havana, which had sentenced him to ten years' imprisonment for conniving in illicit trade with England. From the United States he planned to go to Spain by way of England, to plead his case before Charles III. The first entry in the work was made July 1, 1783, on the day of departure from Havana, and the last, on February 1, 1785; but there are some gaps in the record, the longest being from the last of February to the last of May, 1784.

The travels of the Venezuelan revolutionist took him from Charleston, South Carolina, to Saratoga, New York, and Portsmouth, New Hampshire, and included all of the Atlantic states between, except Virginia and Maryland. In the south, he journeyed largely by water between points, but after reaching Philadelphia—at that time the national capital—he went chiefly by saddle, sledge, or stage coach. The *Diary* describes the journey from Philadelphia to New York in the bitter cold January of 1784, when the rivers between the two cities were frozen so hard that vehicles crossed them over the ice. It is interesting to read that the visitor from the tropics was accompanied on his cold ride by a Scotch indentured servant purchased for ten guineas in Philadelphia, but that the man, who "seemed honest and without malice", ran away a few days after arrival in New York.

Throughout his visit Miranda showed interest in everything, and commented frankly—with delightfully bad spelling—upon all that came to his attention. The tobacco-spitting, bed-bugs, and mocking birds of the south and the pippin apples and blue laws of the north received varied mention; and throughout the country the *mugeres* were passed upon, usually with a statement as to whether the individual woman was *bien parecida*—good-looking—and on rare occasions whether she was ignorant or intelligent. The condition of agriculture and commerce had much interest for the writer, who often inserted statistics with reference to them. Many were the educational institutions which he visited, among them Harvard and Yale colleges. But the battle grounds and fortresses used in the recently-closed Revolution absorbed him more deeply—possibly because of his growing plans for South American independence. The numerous brands of denominationalism seem to have had a morbid fascination for Miranda, who attended church at least once each Sunday, taking in everything from Shaker services to those of the Universalists, and frankly disapproving the severity of discipline found in some of the groups. Of the Quakers he seemed, on the whole, to think well, though he considered some of their meeting-houses far from clean. The local courts received his praise; but the weak government of the Confederation was criticised sharply. He also freely gave his opinion upon many statesmen of the infant republic—for he traveled with quantities of letters of introduction and met practically every one of importance, including General Washington—upon whom he thought the admiration of the nation was too much centered. Robert Morris's abilities he admired heartily, but Gouverneur Morris seemed to him to have more of "ostentation, audacity, and tinsel, than real value".

The impression left upon the reader of the *Diary* is that its writer was a careful observer whose judgments were sound, on the whole. The value of the work made available by Dr. Robertson with the aid of the Hispanic Society of America is rather obvious. As the editor has pointed out, it contains material for the intellectual and moral portrait of Miranda; and it also supplies one more useful source by a critical but friendly foreigner upon conditions in the United States in the demoralized period following the Revolution.

MARY WILHELMINE WILLIAMS.

Goucher College.

Relatorio apresentado ao Presidente da Republica dos Estados Unidos do Brasil pelo Ministro de Estado das Relações Exteriores Anno de 1927. 2 vols. (Rio de Janeiro: Imprensa Nacional, 1928.)

The first volume of this work is the exposition (*exposição*), and the second, the exhibits (*anexos*) of the report of the minister of foreign relations of the republic of Brazil, Octavio Mangabeira. The first volume treats of Limites; Assembléas Internacionais que se reuniram no Rio de Janeiro; Assembléas Internacionais que se reuniram em outras Capitais americanas; Outras Reuniões Internacionais; Congressos e Conferencias a se realizarem; Sociedade das Nações; Apparelhamento do Ministerio para a Defesa dos Interesses Economicos no Exterior; Exposições e Concursos Internacionais; Arbitragem geral obligatoria; Extradicação de Criminosos; Correios e Telegraphos; Industria pecuaria; Marcas de Fabrica, Commercio e Agricultura; Estadistica Commercial; Empréstimos Brasileiros; Prerogativas Diplomaticas; Noticias de outros Ajustes Internacionais; Cortesia Internacional; Providencias de Administração Interna; Publicações Ordenadas; Synopse dos Actos Internacionais em 1927; Nomeações, Designações, Remoções Transferencias e Exonerações no Ministerio; Conclusão. The boundary matters are as important, perhaps, as any other part of the report. These concern the boundaries with Paraguay, Argentina, Bolivia, Uruguay, Peru, and Venezuela. The International Assemblies meeting in Rio de Janeiro were the International Committee of jurisconsults (of which the report is given in detail); and the Thirteenth International Parliamentary Conference of Commerce. The other international assemblies meeting in other cities included the First Pan American Tuberculosis Congress which met in Córdoba, Argentina; the Third Pan American Congress of Architects meeting in Buenos Aires; and the conference on Commercial aviation held in Washington in May, 1927; the Radio-telegraphic Conference, held in Washington; the Fourth Congress of Aerial Navigation, held in Rome; the conference of Imprensa Médica Latina at Paris; the Fourth International Congress of Domestic Economy, at Rome; the Third Commercial Pan American Congress, at Washington; Fourth Congress of Limnologia, at Rome; Seventh World Congress of Associations, at Brussels; Pan American Sanitary Conference, at Lima; Seventeenth Congress of the International Institute of Statistics; First International Congress of Sciences, at Washington; Fourth In-

ternational Congress of Medical and Military Sciences, at Varsovia; Third International Congress of Scientific Organization of Labor, at Rome; Third International Congress of Administrative Science, at Paris. The loans made by Brazil in France are discussed on pp. 245-248. The entire volume is of great interest.

In Vol. II (pp. 3-15) is the text of the boundary treaty between Brazil and Paraguay. The boundary convention between Brazil and Argentina occupies pp. 17-19. There are many other important data in this volume. Altogether the two volumes are of unusual interest.

NOTES AND COMMENT

A CORRECTION

In the May number of this REVIEW, the introduction to the documents relative to Cortés which were contributed by Mr. Henry R. Wagner, of San Marino, California, was wrongly attributed to Thomas P. Martin. The title in the table of contents should have read: "Three Accounts of the Expedition of Fernando Cortés, Printed in German between 1520 and 1522—contributed, with Introduction by Henry R. Wagner".

Dr. Camilo Barcia Trelles, professor of international law of the University of Valladolid, Spain, is at present in the United States, where he is giving various lectures in Spanish in certain universities including Columbia and Pennsylvania. This series of lectures is on the general subject "The International Interpretation of the Conquest of America by the Spanish Writers of the Sixteenth Century". This REVIEW expects soon to publish an article by this distinguished scholar. Dr. Barcia Trelles is also president of the "Sección de Estudios Americanistas", and professor of the "Academia de Derecho Internacional de la Haya". He is one of the charter members of the "Asociación Francisco de Vitoria".

Earl J. Hamilton, Assistant Professor of Economics at Duke University, has recently been awarded a Social Science Research Council Fellowship for one year beginning in June. His project is: "To complete, in Spanish archives, studies of money, prices, and wages in Castile, 1500-1660, especially as affected by the influx of treasure from the Hispanic colonies of the New World, and of American gold and silver production, 1557-1660". While holding a Sheldon Traveling Fellowship from Harvard, he spent from July 7, 1926, to September 2, 1927, in Spanish archives. During this time he finished a study of the imports of American gold and silver into Spain and of the influence of American treasure on the economic life of Andalusia, the region first affected. As a result of his study he published an article on "American Treasure and Andalusian Prices, 1503-1660" in the November (1928) issue of the *Journal of Economic and Business His-*

tory, and in the May (1929) number of the *Quarterly Journal of Economics* he had a long article on "Imports of American Gold and Silver into Spain, 1503-1660". The data previously collected will be combined with the material gathered in the next year to complete books, now in course of preparation, on *Money, Prices, and Wages in Castile, 1500-1660* and *Gold and Silver in the Spanish Empire, 1500-1660*.

On January 21, 1929, the treaty definitely settling the boundary between Haiti and the Dominican Republic was signed in Santo Domingo. A brief resumé of the steps in the negotiation of the treaty might be of interest in this connection. The Haitian minister in Santo Domingo, M. de Jean, was sent to the Dominican Republic for the express purpose of undertaking boundary negotiations. Discussions were officially begun by a note from the ministry of foreign affairs, on January 20, 1928. Negotiations proceeded throughout the early months of that year between M. de Jean and the special Dominican representative, Señor Troncoso de la Concha. An agreement was reached in regard to the northern and southern sectors early in March, 1928, and by the 24th, the entire line had been traced to the satisfaction of both parties. The question was reopened, however, through certain small divergencies and it was not until July 30, 1928, that these were smoothed out. The text of the memorandum, etc., also occasioned several disagreements, particularly over the question of the citizenship of those Haitians living in the territory assigned to the Dominican Republic. It was not until November 8, 1928, that an informal agreement was finally reached and a special message submitted by the president to congress requesting the convocation of a constitutional assembly. The assembly met on the 27th of December and approved the proposed amendment permitting the negotiation of the treaty; and on January 21st, the treaty was formally signed. The ceremony of signing the treaty took place in the principal room of the palace. The Dominican plenipotentiaries were Doctor J. D. Alfonseca, Francisco J. Peynado, M. de J. Troncoso de la Concha, Angel Morales, M. A. Peña Batlle, and General José de J. Álvarez. The Haitian plenipotentiary was M. de Jean, Haitian minister. The text of the treaty was made public on January 25, 1929, and a special session of the congress of the Dominican Republic was called on January 29, to ratify the treaty.

Dr. Milledge L. Bonham, Jr., head of the department of history at Hamilton College, will be on leave of absence for the session of 1929-1930. He will spend it in the study of the history of Canada, in the archives and universities of Canada, England, and France. During his absence Professor Graves will be in charge of the department, and Mr. Bonham's courses will be given by Professor George L. Ridgeway, recently of Colby College. Professor Bonham has always been greatly interested in the history of Hispanic America. He was present and took considerable part in the first meeting at which the subject of an historical Review for Hispanic America was broached, and has done much to keep alive an interest for an Hispanic American history group.

BIBLIOGRAPHICAL SECTION

THE OUTLOOK FOR BIBLIOGRAPHICAL COÖPERATION IN THE AMERICAS

[An address delivered during the annual meeting of the American Library Association, in Washington, May, 1929.]

It gives me a great deal of pleasure to address this gathering of distinguished librarians, not only as the Ambassador of Chile and Chairman of the Permanent Committee on Bibliography of the governing board of the Pan American Union in charge of preparing the forthcoming meeting of Pan American bibliographers, but especially due to the fact that we Chileans are as much, or even more, interested in bibliography (we believe so at least), than the citizens of any other of our sister American nations.

Shortly after adopting in the fullest possible measure the American library systems, the Chilean National Library issued a periodical which attained great distinction in the learned world and was highly regarded by all librarians and bibliographers. This was the *Revista de Bibliografía Chilena y Extranjera*.

In 1915, at the Second Pan American Scientific Congress, the Chilean delegation, together with others, introduced and succeeded in having adopted a resolution calling for the establishment of a Pan American bibliographical exchange, which was to be charged with the dissemination of news concerning the activities of publishers of books and other printed materials that might be useful to librarians and students on the continent.

Finally, at the fiftieth anniversary meeting of the American Library Association, in 1926, the representative of the Chilean National Library moved the adoption of a resolution inviting the governing board of the Pan American Union to incorporate in the program of the Sixth International Conference of American States, the consideration of the advisability of establishing a permanent center for Pan American bibliographical coöperation.

The resolution was in due time brought before the governing board of the Pan American Union. And it was quite natural that the

Havana Conference should decide to call for a special meeting of bibliographers to take up the study of a detailed plan for permanent bibliographical coöperation among the republics of this hemisphere.

The bibliographical conference was thus authorized by a resolution of the Sixth International American Conference held in Havana in January, 1928, and the governing board of the Pan American Union was empowered to draft the agenda. By the aid of special committees composed of experts in their particular fields, an agenda was adopted by the Board at its meeting on April 6th, last, which covers the entire subject of bibliographical coöperation. The agenda is composed of 10 divisions, one each on: the science of bibliography; American bibliography; an all American union finding list; indices currently issued; guides; governmental archives; copyright; coöperative library methods; library organizations; and coördination of international promoting agencies for intellectual coöperation. Each of these divisions is subdivided so that the entire subject may be covered. The governments of the various countries forming the Pan American Union have each been requested by the governing board to appoint a national committee to coöperate with the Pan American Union in preparing a most comprehensive study of bibliographical matters as they exist today in their respective countries, and such studies have been received already from the committees of several countries. It is expected that in a few months reports from practically all the nations of the continent will be in the hands of the permanent committee on bibliography of the governing board. I feel certain that when those representatives of all our nations gather within the next few months, they will be able to agree upon the means of exchanging bibliographical information through their respective library services to the advantage of all those who strive for a better understanding among all the democracies of America by means of a closer and more intelligent acquaintance with, and knowledge of, their higher intellectual and spiritual values.

Another notable advance in library coöperation is the creation of the library of the Pan American Union as a depository for one copy of all government publications from each of the several nations. The first decree issued for such a purpose was that of the government of Chile and was dated April 1, 1925. A similar decree was recently issued by the government of Guatemala and the government of Venezuela. Colombia and Mexico have issued departmental orders having

the same effect. By creating this library a depository it is expected that there will be developed in the city of Washington a central library where will be available to all students, equally, from all the Americas, books that are now entirely unavailable to many outside the country in which they are published.

Books without indexes are the worst enemies of scholarly readers and of conscientious librarians. Libraries where books are stacked on the shelves and where no catalogues are available serve a very limited purpose. Countries which have an interesting output of books on scientific and literary subjects, and possess no bibliographical guide to their intellectual production, fail to awaken the interest of students trained in modern research methods.

We publish indexes on the cost of living and with regard to many other aspects of a nation's economic life. Thanks to them our financial and commercial vitality can be accurately gauged throughout the world, and all those interested in the business of a given country are conversant with the conditions they can expect to meet there. But when a "merchant of light", as some one has called those generous individuals who devote their entire life to the spreading of knowledge and to the creation, thereby, of good neighborly relations among men who owe allegiance to different flags, wishes to study the spiritual development of his fellowman abroad, he finds his way obstructed, and sometimes even made impassable, by the lack of those modern and smoothly paved highways to reading, namely, good bibliographies.

American investments in Hispanic America amount now to more than five and a half billions of dollars. The commerce of the United States with the republic to the south has reached two billion dollars annually. Similar progress has been made in the field of our political relations, but our relations in cultural activities are yet scarcely in their incipiency. What I have called "the dead chord in Pan Americanism" exhibits to the intellectual elements of our countries and of yours, a task that can not be neglected any longer.

Let us hope that by arranging for a constant and scientific exchange of data on our printed output, we may get to know each other better in the field in which we know each other least, and which is, perhaps, the most interesting of our countries and of yours, the field of our intellectual production.

Washington, D. C.

CARLOS DÁVILA,
Chilean Ambassador.

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NOTES

The Instituto Hispano-Cubano de América, of Seville, Spain, of which a notice appeared recently in this REVIEW, announces for publication in the early part of 1929 three volumes of 400 pages, the first of the series "Catálogo sistemático de los Fondos Cubanos del Archivas General de Indias". The first volume of the series, "Catálogo general de los Fondos Americanistas del Archivo de Protocolos de Sevilla", is expected soon to be in press. The Instituto published near the end of 1928, an attractive "Nota informativa sobre su carácter y funcionamiento", of 14 pages. This should be available for the use of students who are intending to make historical investigations in Spain.

John T. Vance, law librarian, Library of Congress, reports that he expects to have ready for the press by the fall, the "Guide to the law and legal literature of Mexico", on which he has been working for some time. The project was first announced in the report of the Librarian of Congress for the year 1924-1925 as one of the series of foreign law guides, published by the Library, which were written by Dr. E. M. Borchard, former law librarian. The guide to Mexican law will follow the same general plan of the other Hispanic American guides, except that Mr. Vance proposes to include an exhaustive bibliography of Mexican legal literature arranged according to the Law Library shelf arrangement, with a subject classification for treatises and laws on special subjects. A great many titles covering the law of the states of Mexico have been assembled, which will make the bibliography of unusual interest, as practically nothing on the subject has been done before. Mr. Vance has also just completed a bibliography of the *Siete Partidas*, the thirteenth century code of Alfonso el Sabio, which is to be published together with the translation of the *Siete Partidas* made by S. P. Scott, translator of the *Fuero Juzgo*, etc., and author of the *History of the Moorish Empire in Europe, Through Spain*, and other works. The translation is being published as the joint enterprise of the Comparative Law Bureau of the American Bar Association and the Commerce Clearing House, Inc., through the liberality of Mr. William Kix Miller, president of the latter company.

The Macmillan Company has published (1928) two more volumes in its Hispanic Series, which is under the general editorship of J. P. Wickersham Crawford, professor of Romance languages in the University of Pennsylvania. These two volumes, like their predecessors, are admirably adapted for the purpose of the series, and will prove extremely useful for the study of the Spanish language. They will also prove useful for students of the history of Spain and Spanish America by helping them to acquire the necessary ease in the use of the language in which much of their research must be carried on if they go to Hispanic sources. One of these volumes is entitled *Cuentos Humorísticos Españoles*. The various stories were collected and prepared by Dr. Juan Cano, assistant professor of Italian and Spanish in the University of Toronto; and were edited with notes, direct-method exercise, and vocabulary, by Dr. Emilio Goggio, associate professor of Italian and Spanish in the same university. The collection consists of Spanish humorous stories and anecdotes of a popular nature'', which have been elaborated by the compiler. Some of the material has been adapted from *El Libro de los Cuentos* of Rafael Boira; while the story entitled "El Loco de Sevilla" comes (with some changes) from Cervante's immortal work. The stories contain "considerable information concerning Spanish life and customs". The editor suggests that the simplicity of the volume makes it suitable for use in second year high school classes and perhaps in the second semester of first year college classes. The stories themselves are excellent. The second volume is one that will be welcomed by readers and lovers of the prose and poetry of Rubén Darío. It is entitled *Selections from the Prose and Poetry of Rubén Darío*, and has been edited, with an introduction, notes, and vocabulary by Professor George W. Umphrey, of the University of Washington, and Carlos García Prada, instructor in Spanish in the same university. The happy introduction by Professor Umphrey gives the salient features of the poet's life and is followed by notes on the versification of Rubén Darío which will benefit the serious student. The selections, both of prose and poetry are excellent and if read carefully with the introduction will give the reader an adequate idea of the great poet who created a real literary revolution in Hispanic America. This volume should be followed by compilations from the writings of other great authors of Hispanic America. Especially is there room for selections from Brazilian writers, for it must

be confessed that, although we have begun to make available for students the best of the writings of the Spanish-speaking countries of Hispanic America, comparatively little has been done with the Portuguese-speaking country of Brazil. The publishers of this series should include in it stories and poetry from Brazil.

C. G. B. Laguardia, instructor in Spanish in Middlesex College and in Newport High School, New York City; and Philip M. Molt, instructor of Romance languages in Columbia University, have published recently (1928) through Doubleday, Doran & Co., Inc., *A Spanish Outline Grammar*. This is intended for second-year students, and throughout the attempt has been made to keep in mind the point of view of the student. Thus, there is included.

(1) An explanation of those features of Spanish syntax that are most recurrent, and (2) a thorough treatment of the Spanish verb . . .

and the emphasis has been laid on matters of primary importance. Each lesson describes thoroughly one important grammatical point, the conjugation of two verbs, and an explanation of a second grammatical point. To facilitate translation of English into Spanish,

the exercises were first prepared in Spanish and then turned as literally as possible into English. In many cases it was thought advisable to retain the Spanish construction and sentence order. This has occasionally resulted in what is not quite idiomatic English. . . .

The advisability of this procedure might possibly be questioned, although a temporary gain may doubtless result therefrom.

With its issue for April, *The Catholic Historical Review*, the official organ of the American Catholic Historical Association, appears under a new and pleasing format. It is being edited under a board consisting of Dr. Peter Guilday, Dr. George Boniface Stratemeier, and Dr. Leo Francis Stock. It is apparently the policy of the review to restrict itself to the religio-historical field, for which it is to be commended. This is especially noteworthy with regard to the book review section, for there are many reviews of a historical nature which profess to deal with a single section, but which review books of all sorts, and just so far as they do this weaken their special appeal. *The Catholic Historical Review* is published under the auspices of the

Catholic University of America. In this connection, one can scarcely avoid noting with surprise that that university, which aims to stand at the head of Catholic educational institutions in the United States, makes no provision for the systematic study of Hispanic American history. This reflects no credit on the university, especially since it is the repository of the wonderful Oliveira Lima collection—which justly ranks as one of the great collections of the world. It would seem to an outsider that the University can not afford to allow this condition to continue; and that it would install a department for the study of the history of Hispanic America, of equal importance to any other historical department. Notwithstanding the lack of such a department, however, several students have taken degrees in the university on subjects connected with Hispanic American history.

The Instituto de Investigaciones Históricas of the University of Buenos Aires has made for itself a very important place in the historical world. Its methods should be studied by all similar organizations. Its bulletin is a model of its kind and its studies are the results of matured thought and research. As much as any other historical institution in South America it is setting a new norm of excellence in historical study. A near number of this REVIEW will contain a detailed note of the publications of this organization.

